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Floor Debate
January 20, 2016

[LB17 LB18 LB47 LB176 LB676 LB699 LB704 LB751 LB759 LB760 LB761 LB771 LB824 LB960 LB1027 LB1039 LB1040 LB1041 LB1042 LB1043 LB1044 LB1045 LB1046 LB1047 LB1048 LB1049 LB1050 LB1051 LB1052 LB1053 LB1054 LB1055 LB1056 LB1057 LB1058 LB1059 LB1060 LB1061 LB1062 LB1063 LB1064 LB1065 LB1066 LB1067 LB1068 LB1069 LB1070 LB1071 LB1072 LB1073 LB1074 LB1075 LB1076 LB1077 LB1078 LB1079 LB1080 LB1081 LB1082 LB1083 LB1084 LB1085 LB1086 LB1087 LB1088 LB1089 LB1090 LB1091 LB1092 LB1093 LB1094 LB1095 LB1096 LB1097 LB1098 LB1099 LB1100 LB1101 LB1102 LB1103 LB1104 LB1105 LB1106 LB1107 LB1108 LB1109 LB1110 LR378CA LR404 LR416 LR417]

PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: GOOD MORNING, LADIES AND GENTLEMEN, AND WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER FOR THE TENTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. OUR CHAPLAIN FOR TODAY IS SENATOR WATERMEIER. PLEASE RISE.

SENATOR WATERMEIER: (PRAYER OFFERED.)

PRESIDENT FOLEY: THANK YOU, SENATOR WATERMEIER. I CALL TO ORDER THE TENTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. SENATORS, PLEASE RECORD YOUR PRESENCE. ROLL CALL. MR. CLERK, PLEASE RECORD.

CLERK: I HAVE A QUORUM PRESENT, MR. PRESIDENT.

PRESIDENT FOLEY: THANK YOU, MR. CLERK. ARE THERE ANY CORRECTIONS FOR THE JOURNAL?

CLERK: I HAVE NO CORRECTIONS, MR. PRESIDENT.

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PRESIDENT FOLEY: THANK YOU. ARE THERE ANY MESSAGES, REPORTS, OR ANNOUNCEMENTS?

CLERK: MR. PRESIDENT, YOUR COMMITTEE ON BANKING, COMMERCE AND INSURANCE CHAIRED BY SENATOR SCHEER REPORTS LB676, LB759, LB760, LB761 AND LB771 TO GENERAL FILE. I HAVE A REFERENCE REPORT REFERRING LB690-LB1013. PRIORITY BILL DESIGNATION: SENATOR BRASCH HAS SELECTED LB960 AS HER PRIORITY BILL FOR THE SESSION. SENATOR COASH OFFERS LR416, MR. PRESIDENT. THAT WILL BE LAID OVER AT THIS TIME. AND THAT'S ALL THAT I HAVE. (LEGISLATIVE JOURNAL PAGES 341-343.) [LB676 LB759 LB760 LB761 LB771 LB960 LR416]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. SENATOR SCHEER, FOR WHAT PURPOSE DO YOU RISE?

SENATOR SCHEER: THANK YOU, MR. SPEAKER OR MR. PRESIDENT. I HAVE A MOMENT OF PERSONAL PRIVILEGE, PLEASE? COLLEAGUES, I WITH GREAT PLEASURE THIS MORNING ANNOUNCE THE BIRTH OF TWO GRANDCHILDREN LAST NIGHT. I HAVE A NEW GRANDDAUGHTER, QUINN DARBY, AND A NEW GRANDSON, DALTON MAXWELL, 6 POUNDS 11-OUNCES, 6 POUNDS FOUR OUNCES, BORN IN NEW YORK LAST NIGHT. EVERYONE IS DOING WELL. I DIDN'T GET THE CHANCE TO TALK TO THE KIDS VERY LONG LAST NIGHT. BUT THEY DID ENCOURAGE ME TO GET SOME DOUGHNUTS, SO THEY ARE ON THE WAY. SO THIS MORNING AT SOME POINT IN TIME, WE WILL HAVE DOUGHNUTS. THANK YOU, MR. PRESIDENT.

PRESIDENT FOLEY: THANK YOU, SENATOR SCHEER, AND CONGRATULATIONS. WHILE THE LEGISLATURE IS IN SESSION AND CAPABLE OF TRANSACTING BUSINESS, I PROPOSE TO SIGN AND DO HEREBY SIGN LR404. THANK YOU. WE'LL NOW PROCEED TO THE AGENDA, CONTINUATION ON LB18. MR. CLERK. [LR404 LB18]

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CLERK: MR. PRESIDENT, LB18 DISCUSSED YESTERDAY. WHEN THE LEGISLATURE LEFT THE ISSUE, SENATOR GROENE HAD PENDING AM143 AS AN AMENDMENT TO THE BILL. (LEGISLATIVE JOURNAL PAGE 477, FIRST SESSION, 2015.) [LB18]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. SENATOR GROENE, YOU'RE RECOGNIZED. [LB18]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. YESTERDAY, TO REMIND YOU HOW THE DEBATE WENT, I STRESSED THAT THE PUBLIC-PRIVATE COOPERATION IN A FREE SOCIETY IS WORKING ON THIS VACCINATION AND ON THIS DISEASE, MENINGOCOCCAL BACTERIAL DISEASE. FROM THE HHS DEPARTMENT STATE OF NEBRASKA, WE PASSED OUT A FORM SHOWING SINCE 2003 WHEN THEY STARTED KEEPING RECORDS BY AGE DIVISION, THERE HAS ONLY BEEN TWO CASES IN THE AGE GROUP HIGH SCHOOL...BASICALLY JUNIOR HIGH AND HIGH SCHOOL. IN THAT SAME 13-YEAR PERIOD, THERE WAS NINE IN THE COLLEGE AGE, FROM 18 TO 22. AND I REEMPHASIZE THAT WE HEARD COMPASSIONATE STORIES OF MENINGOCOCCAL BACTERIAL DISEASE OF A FOUR-YEAR-OLD AND ONE OF A 24-YEAR-OLD YOUNG ADULT. AND TO STRESS AGAIN NEITHER ONE OF THEM WOULD HAVE BEEN HELPED IF THEY WERE VACCINATED BY THIS AT THE AGE OF 12 AND AT THE AGE OR AT THE AGE OF 16. THEY'RE OUTSIDE THE RANGE OF THE EFFECTIVENESS OF THE VACCINATION. I GOT THIS SENT TO ME BY A DOCTOR. MENINGOCOCCAL BACTERIAL INFECTION HAS FALLEN TO THE LOWEST LEVEL IN MODERN HISTORY WITHOUT VACCINATION. SENATOR KUEHN MADE THE POINT ON ONE OF THE GRAPHS THAT, WELL, WE'VE HAD A VACCINATION FROM THE '90s, BUT NOT ON SEROGROUP B. SEROGROUP B HAS ALSO FALLEN TO THE LOWEST IT HAS BEEN IN HISTORY WITHOUT A VACCINATION. SOMETHING IS GOING ON IN THE CULTURE. RISK OF GETTING MENINGOCOCCAL B INFECTION OR ACWY IS ABOUT ONE IN ONE MILLION. YOU HAVE A HIGHER RISK OF BEING STRUCK BY LIGHTNING, 1 IN 960,000; DYING FROM SUFFOCATION IN YOUR OWN BED, 1 IN 566,000; DYING WHILE RIDING A HORSE OR HORSE-DRAWN CARRIAGE, 1 IN 466,000; DYING FROM A MEDICAL OR SURGICAL TREATMENT, 1 IN 110,000; DYING FROM A CAR ACCIDENT AS A PASSENGER, 1 IN 17,000. THAT'S JUST THE

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FEARMONGERING THAT'S GOING OUT THERE ABOUT THIS VACCINATION IS NOT WARRANTED, ABOUT THE NEED FOR THIS VACCINATION--ONE IN ONE MILLION CHANCE. AND REMEMBER, MOST CASES WHEN THEY ARE DIAGNOSED CORRECTLY, THE OLD-FASHIONED PENICILLIN CLEARS IT RIGHT UP. IT'S WHEN IT IS ALLOWED TO TAKE ITS COURSE IN A QUICK AMOUNT OF TIME. BUT THE SYMPTOMS SHOW UP QUICKLY. REMEMBER THAT. YOU DO NOT DIE IF YOU GET MENINGITIS...MENINGOCOCCAL BACTERIAL DISEASE. YOU CAN IF IT'S NOT TREATED. AS OF 2010, THERE REMAINS LIMITED EVIDENCE THAT ANY OF THE CURRENT CONJUGATE VACCINES OFFER CONTINUED PROTECTION BEYOND THREE YEARS. THIS IS FROM A DOCTOR WHO DEALS IN THIS SUBJECT MATTER. STUDIES ARE ONGOING TO DETERMINE THE ACTUAL DURATION OF THE IMMUNITY AND THE SUBSEQUENT REQUIREMENT OF BOOSTER VACCINATIONS. THAT STATEMENT CAME FROM THE CENTERS OF DISEASE CONTROL AND PREVENTION, CDC, JANUARY 2011. ALSO IN THE U.K.... [LB18]

PRESIDENT FOLEY: ONE MINUTE. [LB18]

SENATOR GROENE: ...IN ENGLAND BETWEEN 1997 AND 2003 THERE WERE A TOTAL OF 130 REPORTS OF FOLLOWING ALL IMMUNIZATIONS. THEY MANDATED THEIR WHOLE PUBLIC. AROUND 117 MILLION DOSES OF VACCINE WERE GIVEN. ONE IN 900,000 STILL GOT THE DISEASE. IN AMERICA IT'S ONE IN A MILLION WITHOUT THE MANDATE IN NEBRASKA AND 27 OTHER STATES. IT'S NOT FAIL PROOF. AS I SAID YESTERDAY, ALL VACCINATIONS ARE NOT EQUAL. YOU HAVE DIFFERENT SUBTYPES. YOU HAVE VIRUSES. YOU HAVE BACTERIAS. AND THEY VARY ON HOW A VACCINATION WORKS AND HOW LONG IT WORKS. SO ANYWAY, I THANK YOU AND I'M GOING TO GO THROUGH THE BILL, THE ACTUAL LEGISLATION, AND DISCOUNT IT LINE BY LINE LATER IN MY TESTIMONY. THANK YOU. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR GROENE. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB18]

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SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. I FINISHED UP THE PLEDGE, WAS WORKING ON A CUP OF COFFEE, AND THE PAGES BROUGHT AROUND AN EDITORIAL THAT WAS COPIED OFF AND SENT TO US BY ONE OF MY ESTEEMED COLLEAGUES. AND IT'S FROM THE JOURNAL STAR EDITORIAL BOARD. NOW, HERE IS A NEWS FLASH. THE LIBERALS AT THE JOURNAL STAR EDITORIAL BOARD THINK THAT WE NEED MEDICAID EXPANSION. IT STARTS OUT SAYING IT'S A SAD INDICATION OF HOW DEEP SOME IDEOLOGICAL NUTS, AKA BILL KINTNER, HAVE BECOME OPPONENTS IN TALLYING VOTES AGAINST SENATOR McCOLLISTER'S NEW HEALTHCARE PLAN BEFORE THEY EVEN KNEW WHAT IT WAS. NOW, I GOT TO TELL YOU, IF MY ESTEEMED COLLEAGUE DID NOT COPY THIS OFF TO GIVE TO YOU, I WOULD HAVE COPIED IT OFF AND GIVEN IT TO YOU BECAUSE I THINK IF A BUNCH OF LIBERALS AT THE JOURNAL STAR THINK THIS IS A GOOD IDEA AND THEY'RE THE ONES THAT THINK, YOU KNOW, GLOBAL WARMING IS ONE OF OUR MAJOR PROBLEMS, IF THEY THINK IT'S A GOOD IDEA, THIS IS PROBABLY AS GOOD A REASON AS ANY TO QUESTION IF WE NEED IT AND PROBABLY TO OPPOSE IT. SO MY GOOD COLLEAGUE FROM DISTRICT 20 JUST BEAT ME TO IT BECAUSE I WOULD HAVE COPIED THIS AND YOU WOULD HAVE HAD IT ON YOUR DESK PROBABLY A LITTLE BIT LATER TODAY, PROBABLY ABOUT THE TIME THAT THE DOUGHNUTS ARRIVED. SO I THINK THAT I WOULD ENCOURAGE YOU TO READ THEIR EDITORIAL AND DO THE EXACT OPPOSITE OF WHAT THEY WANT BECAUSE I THINK THAT'S ALWAYS GOOD PUBLIC POLICY IF YOU DO THE OPPOSITE OF WHAT THE JOURNAL STAR EDITORIAL BOARD WOULD LIKE. BACK TO THE BILL AT HAND HERE. REMEMBER WE TALKED YESTERDAY THAT WE HAVE GONE A YEAR DOWN THE ROAD THAT YEAR AGO WHEN THIS WAS INTRODUCED IT WAS WITH THE BEST OF INTENTIONS. IT WAS TO HELP MAKE SURE THAT WE DIDN'T HAVE A PROBLEM. SO THE FIRST QUESTION WE...WITH MENINGITIS...SO THE FIRST QUESTION WE ASKED WAS, DO WE HAVE A PROBLEM WITH MENINGITIS? AND WE DIDN'T THINK WE DID. WE THOUGHT THIS WAS A LITTLE PREMATURE; THAT IT WASN'T NEEDED. SO NOW WE'RE A YEAR DOWN THE ROAD AND WE'VE HAD EXACTLY ZERO CASES OF MENINGITIS IN THE STATE OF NEBRASKA FROM KIDS IN MIDDLE SCHOOL AND HIGH SCHOOL. AS I UNDERSTAND, WE HAD ONE CASE OF A 20-YEAR-OLD STUDENT IN COLLEGE.

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NOW THINK ABOUT THIS. IF THEY'RE GETTING IT IN JUNIOR HIGH AND THEY'RE GETTING IT WHEN THEY'RE 16, RIGHT WHEN THEY'RE AROUND 20, 21, IT'S WORN OFF. THE EFFECTS OF THE SHOT THAT THEY GOT IS WEARING OFF. SO EVEN IF YOU'RE 20, 21, YOU MAY BE OUTSIDE THE RANGE OF THAT LAST SHOT ANYWAY. SO THAT PERSON, EVEN IF THAT STUDENT WOULD HAVE BEEN VACCINATED, THEY MAY NOT HAVE EVEN...THAT MAY NOT EVEN HAVE HELPED THEM. SO I THINK THAT I STILL BELIEVE THIS IS NOT NEEDED. I BELIEVE IT'S WITH THE BEST OF INTENTIONS. I CAN UNDERSTAND WHY SOME PEOPLE WOULD SUPPORT IT. THEY MIGHT SAY BETTER SAFE THAN SORRY. BUT I THINK AT THE POINT WE ARE NOW IS THAT WE'VE GOT TO BE VERY CAREFUL WHEN USING A HEAVY-HANDED GOVERNMENT TO FORCE PEOPLE TO DO THINGS. AND WHEN WE COME WITH A MANDATE THAT SAYS YOU WILL DO THIS, WE BETTER MAKE DARN SURE... [LB18]

PRESIDENT FOLEY: ONE MINUTE. [LB18]

SENATOR KINTNER: ...THAT THERE IS A PUBLIC INTEREST AT STAKE AND THERE IS NOT A BETTER WAY TO DO IT OR IF WE DIDN'T DO IT, THAT THERE IS NOT A DIRE CONSEQUENCE. AND I JUST DON'T THINK THAT THERE IS A DIRE CONSEQUENCE IF WE DO NOT DO THIS. SO I WOULD ENCOURAGE MY COLLEAGUES TO NOT SUPPORT LB18. IT'S NOT NEEDED. IT'S NOT A VOTE AGAINST ANYONE. IT'S NOT BECAUSE WE DON'T LIKE ANYONE. IT'S JUST SOMETHING THAT WE OUGHT NOT TO USE THE HEAVY-HANDED GOVERNMENT TO DO. WITH THAT, I THANK YOU, MR. PRESIDENT. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR KINTNER. SENATOR HUGHES, YOU'RE RECOGNIZED. [LB18]

SENATOR HUGHES: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. WE'VE GOT A LITTLE TIME TO GO ON THIS BILL YET, BUT I HAVE HEARD AND LISTENED TO SOME VERY GOOD POINTS AND DEBATE. BUT I'M STILL VERY FIRM IN MY RESOLVE THAT THIS IS A BAD IDEA. STILL TAKING THE RIGHTS OF A

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PARENT TO MAKE THE DECISION FOR THEIR CHILDREN IS NOT A GOOD IDEA. AND THAT'S WHAT THIS IS. YOU KNOW, WE'VE HEARD DISCUSSION OF PROTECTING THE HERD, YOU KNOW, MAKING SURE THAT EVERYBODY IS IMMUNE TO THIS SO THEY'RE NOT PASSING IT ALONG. THAT MAY HAVE SOME BENEFIT, BUT THERE IS ALSO COST INVOLVED IN WHAT WE'RE TRYING TO DO HERE. YOU KNOW, THE VACCINES ARE GETTING BETTER AND THAT'S GREAT. BUT MAKING PARENTS GIVE UP THEIR RIGHT TO DO WHAT THEY FEEL IS BEST FOR THEIR KIDS IS NOT WHAT GOVERNMENT SHOULD BE DOING. THERE IS A FINE LINE, I'LL AGREE WITH THAT. BUT WE NEED TO HAVE PERSONAL FREEDOM IN THIS COUNTRY. AND THAT IS PERSONAL FREEDOM TO FAIL. AND THAT'S PERSONAL FREEDOM TO NOT MAKE GOOD DECISIONS ON OUR PART OR AS A PARENT, OUR KIDS. WE NEED TO MAKE SURE THAT WE DON'T CROSS THAT LINE JUST BECAUSE WE THINK THIS IS A GOOD IDEA OR THIS IS GOING TO SAVE ONE LIFE. WE CANNOT SAVE EVERYBODY. I MEAN, IT'S IMPOSSIBLE. THAT'S THE RISK YOU TAKE EVERY DAY THAT YOU'RE ALIVE. THERE ARE CHALLENGES, THERE ARE OPPORTUNITIES, AND THERE ARE RISKS THAT YOU'RE TAKING AND YOU'RE WILLING TO ASSUME THOSE RISKS. AND AS A PARENT, THAT IS YOUR JOB TO DETERMINE WHAT THE RISKS ARE, EVALUATE THE RISK-BENEFIT, AND MAKE GOOD CHOICES FOR YOUR CHILDREN. AND WHEN YOU'RE DOING THAT, YOU'RE ALSO TEACHING YOUR CHILDREN THAT THIS IS HOW PARENTING IS DONE. AND THE MORE THAT GOVERNMENT USURPS THAT AUTHORITY FROM PARENTS, THE LESS CHILDREN LEARN HOW TO BE PARENTS. AND I THINK WE'RE SEEING A LOT OF THAT IN SOCIETY TODAY, THAT GOVERNMENT IS MAKING SO MANY DECISIONS FOR THE FAMILY THAT THERE IS NO RESPONSIBILITY. AND IT'S BECOMING GENERATIONAL. THE SKILLS OF RAISING KIDS DOESN'T COME NATURALLY. YOU KNOW, YOU NEED TO LEARN THAT. YOU NEED TO BE TAUGHT THAT. YOU KNOW, THERE ARE LOTS OF BOOKS OUT THERE YOU CAN READ. BUT THE ISSUE OF WHETHER OR NOT THE GOVERNMENT USURPS THE AUTHORITY FROM THE PARENT IS WHERE WE'RE AT ON THIS BILL. YES, THIS BILL WILL PROBABLY SAVE A MINIMAL AMOUNT OF LIVES AND I SOUND VERY CALLOUS WHEN I SAY THAT, BUT WE CAN'T SAVE EVERYBODY FROM EVERYTHING. IT'S SIMPLY NOT POSSIBLE. THANK YOU, MR. PRESIDENT. [LB18]

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PRESIDENT FOLEY: THANK YOU, SENATOR HUGHES. SENATOR GROENE, YOU'RE RECOGNIZED. [LB18]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. THE FIRST ERROR I FIND IN THE LEGISLATION IS THIS. BUT FIRST, LET ME GO OVER SOMETHING HERE. THE SAME BILL IN THE FORM WAS INTRODUCED IN 2014 BY THE SAME INTRODUCER AND IT READ DIFFERENTLY. AND IN THE TESTIMONY AT THAT TIME--I'LL READ SOME TESTIMONY. KORBY GILBERTSON, "I AM APPEARING HERE AS A REGISTERED LOBBYIST ON BEHALF OF SANOFI PASTEUR." THAT IS THE BIG "PHARMA" COMPANY THAT MANUFACTURES THE ACWY VACCINATION. "I'M NOT REALLY AN EXPERT, BUT I HAVE DONE A LOT OF RESEARCH WHILE WORKING ON THIS LEGISLATION WITH SENATOR KRIST. AND I'D LIKE TO THANK HIM FOR ALL HIS HELP." I'M NOT CRITICIZING SENATOR KRIST. HE CARES ABOUT KIDS AND THINGS HAPPEN FAST HERE, SO YOU GO TO WHERE YOU CAN FOR HELP IN WRITING LEGISLATION. "LB460 CAME AS A RESULT...THERE ARE ACTUALLY THREE IMMUNIZATIONS BILLS...WE'RE GENERALLY IN FRONT OF THE HEALTH COMMITTEE" INSTEAD OF THE EDUCATION COMMITTEE. "BUT BECAUSE THIS ONE HAD TO DO WITH THE IMMUNIZATIONS BEING DONE AS PART OF THE SCHOOL PROCESS, THAT'S WHY THIS BILL CAME HERE. BUT THIS BILL IS INTRODUCED BECAUSE OF THE CDC" AND WHAT THEY SAID IN 2005. WAS PRETTY MUCH WRITTEN BY SANOFI, THE ORIGINAL VERSION, WHICH ACTUALLY USED THE RIGHT TERM FOR MENINGOCOCCAL BACTERIAL DISEASE. THE PRESENT LEGISLATION SAYS: IMMUNIZATION CONTAINING...WHERE IS IT...CENTERS FOR DISEASE CONTROL AND PREVENTION RECOMMENDED MENINGITIS VACCINATIONS. THERE REALLY ISN'T SUCH A THING AS A MENINGITIS VACCINATION. THE CDC SAID THIS IN 2005: A QUADRIVALENT MENINGOCOCCAL POLYSACCHARIDE PROTEIN CONJUGATE VACCINE. MENINGITIS IS A SYMPTOM OF A LOT OF DISEASES. IT'S THE SWELLING OF THE BRAIN LINING. THERE ARE LOTS OF CAUSES OF THAT. SO WHAT ARE WE MANDATING HERE IN THIS BILL? WHICH VACCINE? IS IT FOR THE MENINGOCOCCAL BACTERIA? IS IT FOR CHILDHOOD...SOME FORMS OF LEUKEMIA THAT CAUSE MENINGITIS? THERE IS LOTS OF CAUSES OF MENINGITIS. SECONDLY, THIS BILL SAYS "ENTERING THE

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SEVENTH GRADE AND ENTERING THE ACADEMIC YEAR FOLLOWING ATTAINMENT OF SIXTEEN YEARS OF AGE SHALL HAVE AN IMMUNIZATION CONTAINING THE UNITED STATES CENTERS." HOW DO YOU READ THAT? SAYS "AND." SO A DOCTOR READS THAT, SCHOOL NURSE READS THAT. YOU'RE SUPPOSED TO HAVE A VACCINATION WHEN YOU ENTER THE 7th GRADE AND YOU'RE SUPPOSED TO HAVE ANOTHER ONE ENTERING...WHEN YOU TURN 16. THIS IS WHAT THE CDC SAID. RECOMMEND--NOW REMEMBER, THE CDC DOESN'T MANDATE ANYTHING. IT RECOMMENDS. IT'S GOT TWO CLASSES OF RECOMMENDATION, A AND B. THIS IS WHAT THE CDC RECOMMENDS: ONE DOSE OF MCV4 FOR PERSONS AGE 11 TO 12 YEARS; PERSONS ENTERING HIGH SCHOOL, APPROXIMATELY AGE 15 YEARS, IF NOT PREVIOUSLY VACCINATED. THEIR RECOMMENDATION IS IF THEY GOT IT AT 12, YOU DO NOT DO IT AGAIN AT 15. [LB18]

PRESIDENT FOLEY: ONE MINUTE. [LB18]

SENATOR GROENE: THIS LEGISLATION SAYS YOU SHALL DO IT IN THE 7th GRADE AND AT 16 YEARS OF AGE. THIS IS NOT WELL WRITTEN. I DON'T KNOW WHO WROTE IT. I'M SURE SENATOR KRIST DIDN'T. HE JUST BELIEVES IN VACCINATIONS. I UNDERSTAND THAT. SO YOU'RE GOING TO PASS A LAW...REMEMBER, NOT GOING TO AMEND THIS--THE SPONSOR SAID NO AMENDMENTS--THAT DICTATE SOMETHING OTHER THAN WHAT THE CDC SAID. SURPRISE, SURPRISE. BIG "PHARMA" HAD THEIR HANDS IN WRITING THIS. WE'LL IGNORE WHAT THE CDC SAID AND WE'LL KIND OF HINT THAT YOU GOT TO DO IT TWICE. YOU HAVE TO DO IT TWICE. TWICE THE PROFITS. GIVE IT TO THEM AT 7th GRADE AND AT 16. WHO CARES WHAT THE CDC SAID? REMEMBER, THIS THING IS GOING DOWN, DOWN, DOWN, THIS DISEASE. [LB18]

PRESIDENT FOLEY: TIME, SENATOR. [LB18]

SENATOR GROENE: THANK YOU. [LB18]

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PRESIDENT FOLEY: THANK YOU, SENATOR GROENE. SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB18]

SENATOR SCHNOOR: THANK YOU, MR. PRESIDENT. WELL, I GUESS FIRST OFF BEFORE I START TALKING ABOUT THIS, I WOULD ALSO LIKE TO MENTION--I DON'T KNOW WHERE SENATOR CRAWFORD IS--BUT TODAY IS HER 26th WEDDING ANNIVERSARY, SO CONGRATULATE HER FOR THAT. ALSO I SEE I AM NOW A PART OF SENATOR CHAMBERS' POETRY, SO I THOUGHT YOU SAID YOU WERE KIDDING ME WHEN YOU SAID THAT IN THE HALLWAY. SO OBVIOUSLY YOU...TWO THINKS--YOU THINK I'M SHORT AND SWEET, SO REMEMBER THAT THE NEXT TIME YOU START USING MY NAME IN VAIN ON THE MICROPHONE. ALL RIGHT. BACK AT THE BUSINESS AT HAND. I WAS LOOKING ON THE CDC'S WEB SITE, A LOT OF INFORMATION ABOUT THIS. IT DOES TALK ABOUT VACCINATIONS AT 7th GRADE AND 16 YEARS OF AGE, GETTING ALL THE SERIES I THINK IS WHAT IT SAID. BUT WHAT I CANNOT FIND IS THAT ANYBODY IN THE U.S. IS AT RISK. DO...HAVE PEOPLE CONTRACTED THIS? YES. WHAT I DID FIND, IT'S CONTRACTED BY...PEOPLE ARE AT RISK WHEN THEY'RE IN A LARGE GROUP. OF COURSE, SOMEBODY HAS TO BE A CARRIER. IT TALKED ABOUT THE EXCHANGING OF SALIVA, THAT THAT PUTS YOU AT A HIGH RISK. BUT THERE HAS TO BE A CARRIER IN THERE SOMEWHERE. AND THEN...BUT IT DOES TALK ABOUT TRAVEL, IF YOU TRAVEL TO COUNTRIES AND IT MENTIONED AFRICA. BUT WHAT I CANNOT FIND ANYWHERE IS THAT WE ARE AT RISK HERE. YES, THEY DID TALK ABOUT VACCINATIONS AND WHAT VACCINATIONS DO AND WE ALL KNOW THAT. WE ALL KNOW THAT THEY DO PREVENT DISEASES AND INFECTIONS. WHEN YOU TALK ABOUT HERD HEALTH, WE DO THAT ALL THE TIME WITH LIVESTOCK, VACCINATING FOR BRVS, WHICH IS BOVINE RESPIRATORY SYNCYTIAL VIRUS, WHICH IS JUST ANY...THINK OF IT AS ANY RESPIRATORY DISEASE THAT YOU OR I WOULD HAVE. AND WE DO THAT WITH HERD HEALTH, WITH LIVESTOCK AND WITH ANIMALS. BUT IS THAT NECESSARY HERE? I AM NOT CONVINCED THAT IT IS. I'M NOT CONVINCED THAT WE HAVE A PROBLEM. I AM NOT CONVINCED THAT THIS IS NECESSARY. WHAT YOU TEND TO LEARN HERE IS, YOU KNOW, IN MY SHORT TENURE HERE IS YOU ALWAYS LEARN OF WHO...TRY TO LEARN WHO IS

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BEHIND THIS. IS IT BIG "PHARMA" PUSHING THIS? I'M NOT 100 PERCENT SURE. YOU KNOW, YOU CAN'T REALLY RELY ON RUMORS EITHER. BUT LIKE I SAID, THERE IS ALL KINDS OF INFORMATION ON THE CDC WEB SITE. BUT WHAT I CANNOT FIND IS THAT WE HAVE A PROBLEM HERE IN THE UNITED STATES OR THAT WE HAVE A PROBLEM IN NEBRASKA THAT WARRANTS... [LB18]

PRESIDENT FOLEY: ONE MINUTE. [LB18]

SENATOR SCHNOOR: THANK YOU, SIR...THAT WARRANTS THIS LEVEL OF COST FOR US. YOU KNOW, LIKE I SAID YESTERDAY, IN THE HEARING WE DID, YOU KNOW, WITNESS VICTIMS OF THIS INFECTION AND IT WAS THE STORIES THAT THEY TOLD WERE HEARTBREAKING. THERE IS NO DOUBT ABOUT IT. BUT ALSO THIS DOESN'T STOP ANY FAMILY FROM HAVING THEIR KIDS VACCINATED. YOU CAN STILL GO AND DO IT. YOU CAN DO IT ON YOUR OWN. THIS DOES NOT PREVENT THAT. BUT WHEN WE NEED TO MANDATE IT AND WE NEED TO FORCE PEOPLE TO DO THAT, YOU KNOW, I GUESS THAT'S WHERE I DO QUESTION IT, SPECIFICALLY WHEN THERE IS NOT EVIDENCE OF A PROBLEM. [LB18]

PRESIDENT FOLEY: TIME, SENATOR. [LB18]

SENATOR SCHNOOR: THANK YOU, SIR. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR SCHNOOR. MR. CLERK, ARE THERE ITEMS FOR THE RECORD? [LB18]

CLERK: THERE ARE, MR. PRESIDENT. THANK YOU. NEW BILLS: (READ LB1039-1072 BY TITLE FOR THE FIRST TIME.) IN ADDITION, MR. PRESIDENT, I HAVE REPORTS: URBAN AFFAIRS COMMITTEE REPORTS LB704 TO GENERAL FILE; LB699 TO GENERAL FILE WITH AMENDMENTS. BANKING COMMITTEE REPORTS LB751 TO GENERAL FILE WITH AMENDMENTS. HEARING NOTICES FROM REVENUE, NATURAL RESOURCES, AND THE JUDICIARY COMMITTEE. AND FINALLY, MR. PRESIDENT, A COMMUNICATION: SPEAKER DIRECTING THE CLERK TO FORWARD

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LR415 TO REFERENCE COMMITTEE FOR REFERRAL TO STANDING COMMITTEE FOR PUBLIC HEARING PURPOSES. THAT'S ALL THAT I HAVE, MR. PRESIDENT. THANK YOU. (LEGISLATIVE JOURNAL PAGES 343-355.) [LB1039 LB1040 LB1041 LB1042 LB1043 LB1044 LB1045 LB1046 LB1047 LB1048 LB1049 LB1050 LB1051 LB1052 LB1053 LB1054 LB1055 LB1056 LB1057 LB1058 LB1059 LB1060 LB1061 LB1062 LB1063 LB1064 LB1065 LB1066 LB1067 LB1068 LB1069 LB1070 LB1071 LB1072 LB704 LB699 LB751]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. DEBATE CONTINUES NOW ON AM143 TO LB18. SENATOR BLOOMFIELD. [LB18]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. I HAVE MENTIONED IT BEFORE, MY PHILOSOPHY: EDUCATE, DON'T LEGISLATE, DON'T MANDATE. THIS PROBLEM COULD BE EDUCATED AWAY. THE SCHOOLS COULD SIMPLY SEND HOME SOMETHING TO THE PARENT. THERE IS NO REASON FOR THIS LEGISLATION TO PROCEED. WE CAN HANDLE THIS SO MANY OTHER WAYS WITHOUT PUTTING IT IN STATUTE IN THE STATE OF NEBRASKA. MR. PRESIDENT, I YIELD THE REMAINDER OF MY TIME TO SENATOR GROENE. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR BLOOMFIELD. SENATOR GROENE, 4 MINUTES. [LB18]

SENATOR GROENE: THANK YOU, MR. PRESIDENT AND SENATOR BLOOMFIELD. A COUPLE OF POINTS: SENATOR BLOOMFIELD IS CORRECT. WE HAD AN AMENDMENT LAST YEAR THAT EDUCATE. THAT'S WHAT SCHOOLS DO. THEY DON'T MANDATE. THEY HAVE A CONSTITUTIONAL RIGHT, FREE INSTRUCTION IN OUR PUBLIC, FREE INSTRUCTION IN OUR COMMON SCHOOLS. WILL YOU DENY SOMEBODY THAT CONSTITUTIONAL RIGHT BECAUSE THEY DIDN'T GET A SHOT, A VACCINATION SHOT, THAT THEY ENDANGER VERY LOW DANGER IN THREATENING ON THE FREEDOM OF THEIR NEIGHBOR BECAUSE IT'S NOT HIGHLY INFECTIOUS? EIGHTY-FIVE PERCENT, UP TO 85 PERCENT ARE NATURALLY IMMUNE. ONLY 5 TO 10 PERCENT CARRY IT. AND ONE MORE

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CORRECTION, WHICH I'M NOT CORRECTING SENATOR KINTNER BECAUSE I SAID THAT EARLIER. BUT LAST YEAR WE HAD ONE 18 TO 20-YEAR-OLD CASE AND ONE OVER 60. THE NEW ADMINISTRATION AT THE HHS I CAN'T GET ANY INFORMATION. I'M TRYING TO MAKE PUBLIC DECISIONS HERE, POLICY. WE DON'T KNOW IF IT WAS A COLLEGE STUDENT. WE DON'T KNOW IF IT WAS SOMEBODY THAT EMIGRATED IN FROM ACROSS THE BORDER, FROM IOWA SOMEWHERE, AND NEVER WENT TO OUR PUBLIC SCHOOLS. WE DON'T KNOW IF THEY WERE VACCINATED PRIOR AND THE VACCINATION FAILED. AND WE'RE SUPPOSED TO MAKE PUBLIC POLICY. ALL WE KNOW IS AN 18- TO 20-YEAR-OLD. THEY DID NOT DIE. THERE WAS NOTHING IN THE NEWSPAPERS ABOUT ANYBODY. THEY PROBABLY...A GOOD DOCTOR DIAGNOSED IT, GAVE HIM PENICILLIN AND THEY WENT BACK TO SCHOOL OR WENT BACK TO THEIR JOB A WEEK OR SO LATER. THAT IS HOW MOST CASES END UP. YOU KNOW, I ERRED BY ABOUT...I COMPARED EARLIER THE CHANCES OF DYING OR WHATEVER VERSUS MENINGITIS. THE ONE IN A MILLION IS TO GET IT. ONE TENTH OF THOSE END UP IN DEATH--ONE IN A MILLION. SO ONE TENTH OF THOSE IS 1 IN 100 MILLION THE CHANCE YOU'RE GOING TO DIE OF MENINGOCOCCAL BACTERIA DISEASE--1 IN 100 MILLION. AND WE'RE GOING TO RUN AROUND FEAR TACTICS, THREAT ON PEOPLE'S PERSONAL FREEDOMS, OF PARENTS BECAUSE OF THOSE KIND OF ODDS. WHERE ARE WE GOING IN THIS COUNTRY? ARE WE GIVING UP FREEDOMS, TAKING AWAY PERSONAL RESPONSIBILITY, TAKING AWAY PERSONAL FREEDOM BECAUSE A DRUG COMPANY WANTS TO SELL SOME VACCINATIONS? QUOTE FROM CENTERS FOR DISEASE CONTROL, WEB SITE 3: MENINGITIS VERSUS MENINGOCOCCAL DISEASE, THERE IS A DIFFERENCE. HAVING MENINGITIS DOESN'T ALWAYS MEAN YOU HAVE MENINGOCOCCAL DISEASE. AND HAVING MENINGOCOCCAL DISEASE DOESN'T NECESSARILY MEAN YOU HAVE MENINGITIS. MENINGOCOCCAL DISEASE IS ANY INFECTION CAUSED BY THE BACTERIUM NEISSERIA MENINGITIS... [LB18]

PRESIDENT FOLEY: ONE MINUTE. [LB18]

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SENATOR GROENE: ...OR MENINGOCOCCUS. ANY INFECTION CAUSED BY THAT BACTERIA IS KNOWN AS MENINGOCOCCAL DISEASE. ONE SERIOUS INFECTION IT CAN CAUSE IS MENINGOCOCCAL MENINGITIS. HERE IS WHAT THE LEGISLATION SAYS AND IT'S GOING TO BE IN OUR BOOKS IF WE PASS THIS--RECOMMENDED MENINGITIS VACCINATIONS--THERE IS NO SUCH THING. THERE IS NO SUCH THING. IT'S MENINGOCOCCAL BACTERIAL DISEASE VACCINATION. BUT WE'RE GOING TO PASS THIS LAW. GOOD LEGISLATION. BECAUSE WE FEAR 1 OUT OF 100 MILLION. LET'S NOT GET OUT OF BED IN THE MORNING. I DIDN'T GET THE STATISTICS HOW MANY PEOPLE DIE FALLING OUT OF BED, BUT IT'S PROBABLY HIGHER THAN 1 OUT OF 100 MILLION. SO WHERE DO WE GO WITH THIS? ALSO... [LB18]

PRESIDENT FOLEY: TIME, SENATOR. [LB18]

SENATOR GROENE: THANK YOU. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATORS BLOOMFIELD AND GROENE.
SENATOR EBKE, YOU'RE RECOGNIZED. [LB18]

SENATOR EBKE: THANK YOU, MR. PRESIDENT. I WANT TO PULL THIS CONVERSATION BACK IF I MIGHT TO THE MORE PHILOSOPHICAL. I DON'T WANT TO DEBATE NUMBERS, ALTHOUGH IT'S PRETTY CLEAR TO ME THAT THE NUMBER OF CASES OF BACTERIAL MENINGITIS IS VERY LOW. BUT WHAT I WANT TO ASK IS THIS: WHAT IS THE PROPER ROLE OF GOVERNMENT AND WHAT SHOULD WE AS LEGISLATORS IMPOSE UPON THE CITIZENS OF THIS STATE BY MANDATE? REMEMBER THAT GOVERNMENT POWER IS FORCE. AND SO HERE IS THE QUESTION: WOULD PASSAGE OF LB18 LEAD US DEEPER INTO THE ABYSS OF DEPENDENCE ON OTHERS OR ARE WE BETTER OFF TO ALLOW OUR CITIZENS TO MAKE THESE DECISIONS ABOUT NONPUBLIC HEALTH ISSUES? MEDICAL PRACTITIONERS DIFFER ON THE IMPORTANCE OF THIS PARTICULAR VACCINE. MANY OF YOU KNOW THAT I AM MARRIED TO A FAMILY PHYSICIAN, AND WE'VE HAD QUITE A FEW DISCUSSIONS ABOUT THIS AND A FEW OTHER ISSUES IN THE

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LAST COUPLE OF DAYS. AND EVEN FAMILY PHYSICIANS DON'T AGREE ON WHETHER OR NOT THIS IS AN APPROPRIATE THING FOR THE STATE TO MANDATE. BUT WHAT I DO KNOW IS THAT 7th GRADERS GO IN FOR THEIR PHYSICALS EVERY YEAR AND ARE REQUIRED TO UPDATE THEIR VACCINES. AND SO PHYSICIANS, PHARMACEUTICAL COMPANIES, AND OTHERS HAVE A CAPTIVE AUDIENCE. EVERY 7th GRADER MUST GO IN FOR A PHYSICAL BEFORE THEY CAN CONTINUE ON JUST AS EVERY KINDERGARTENER HAS TO GO IN AND MAKE SURE THAT THEY ARE PREPARED FOR SCHOOL. THE LOW NUMBER OF CASES CAUSES ME TO QUESTION THE NEED FOR GOVERNMENT FORCE FOR GOVERNMENT MANDATE. I THINK IT'S ALL WELL AND GOOD TO ADVISE. IT'S ALL WELL AND GOOD TO RECOMMEND. IT'S ALL WELL AND GOOD TO EDUCATE, BUT I'M NOT SURE THAT IT'S WELL AND GOOD TO IMPOSE A MANDATE OF THIS SORT ON THE CITIZENS OF OUR STATE. SO FEW PEOPLE EVER ACQUIRE THIS DISEASE EVEN WITHOUT MANDATED VACCINES. MY SUSPICION IS THAT WHEN YOU TALK ABOUT MARGIN OF ERROR THAT YOU WOULD STILL HAVE PEOPLE GETTING THIS DISEASE. IT'S NOT LIKE SMALLPOX OR POLIO, WHICH CAN BE VIRTUALLY WIPED OUT, PEOPLE CARRY THIS AROUND, COLONIES. MY HUSBAND TOLD ME THE STORY THE OTHER DAY OF HOW MANY PEOPLE HAVE BEEN SEEN IN HIS CLINIC WHO SHOW A COLONIZATION OF THAT PARTICULAR BACTERIA. I THINK IT'S TIME FOR US TO STOP THINKING ABOUT OURSELVES AS GOVERNMENT OVERLORDS WHO KNOW BEST FOR EVERYBODY. I THINK IT'S MORE IMPORTANT FOR US TO THINK OF OURSELVES AS REPRESENTATIVES OF OUR NEIGHBORS AND OUR FRIENDS AND THE PEOPLE AT WALMART AND THE PEOPLE AT THE GAS STATION AND SEE WHETHER WE REALLY WANT TO IMPOSE OUR WILL ON THEM IN A SITUATION THAT IS NOT TRULY A PUBLIC HEALTH CONDITION. MR. PRESIDENT, I WOULD YIELD THE BALANCE OF MY TIME TO SENATOR GROENE IF HE HAS ANY USE OF IT. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR EBKE. SENATOR GROENE, ABOUT 1 MINUTE. [LB18]

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SENATOR GROENE: THANK YOU. YOU KNOW, SENATOR EBKE HIT ON SOMETHING HERE THAT WE'RE NOT GOING TO WIPE THIS OUT. THIS ISN'T POLIO. THIS ISN'T SMALLPOX. YOU'RE NOT GOING TO VACCINATE YOUR WAY OUT OF IT AND MAKE THIS EXTINCT LIKE WE DID HOG CHOLERA, BUT THAT'S AN ANIMAL. I'LL TELL YOU WHY BECAUSE VACCINES DIFFER, AND THIS IS FROM AN IMMUNOLOGIST SO IT'S NOT MIKE GROENE WITH AN ECON COLLEGE DEGREE MAKING THESE STATEMENTS. VACCINES WORK BY CREATING MEMORY OF GERM. GERM IS A GENERIC TERM FOR BACTERIA--VIRUSES IS WHAT WE USE, YOU GOT A GERM--IN IMMUNE SYSTEMS. VACCINES WORK BY CREATING MEMORY WITH GERM AND IMMUNE SYSTEM. EACH VACCINE RESPONDS TO A PART OF THE GERM. MOST VACCINES RESPOND TO PROTEIN OR DNA. THOSE ARE THE ONES THAT LAST AND HAVE HIGH RESIDUAL, WHICH CREATES THE LONGEST IMMUNITY MEMORY, OFTEN PERMANENT. SOMETIMES VACCINES RESPOND TO CARBOHYDRATES AND GERMS, MEMBRANES WHICH CREATE LOWEST IMMUNOLOGY MEMORY. MENINGOCOCCAL VACCINE WORKS OFF CARBOHYDRATES AND IS SO WEAK... [LB18]

PRESIDENT FOLEY: TIME, SENATOR. [LB18]

SENATOR GROENE: I WILL FINISH LATER. THANK YOU. [LB18]

PRESIDENT FOLEY: SENATOR GROENE, YOU'RE ACTUALLY NEXT IN THE QUEUE, AND THIS IS YOUR THIRD OPPORTUNITY. YOU MAY CONTINUE. [LB18]

SENATOR GROENE: THANK YOU. MENINGOCOCCAL VACCINE WORKS OFF CARBOHYDRATES AND IS SO WEAK THAT THEY ADD SOMETHING CALLED ADJUVANTS TO HELP CREATE IMMUNOLOGICAL MEMORY. THIS IS WHY MENINGOCOCCAL VACCINE HAS A HIGH FAILURE RATE AND LOW IMMUNOLOGY MEMORY. I GO BACK TO 1 IN 100 MILLION CHANCE OF DYING FROM THIS DISEASE, 1 IN A MILLION OF CATCHING IT, AND ASK YOU, DO YOU REALLY WANT TO GIVE THE FALSE PROMISE THAT THIS VACCINATION THAT HAS AFTER THREE YEARS, STARTS...THE AVERAGE IS THAT AFTER THREE YEARS ONLY 58 PERCENT

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EFFECTIVENESS TO MAKE THAT FALSE PROMISE TO PARENTS, TO SCHOOL NURSES? THEY DON'T STUDY ALL THIS. I'M BECOMING AN EXPERT ON IT. I SHOULDN'T SAY AN EXPERT. I'M BECOMING A GOOD RECITER OF CDC INFORMATION. THIS IS NOT NECESSARY. THINGS ARE HAPPENING. THINGS ARE DROPPING OFF. ONE MORE THING WHICH I'D LIKE TO HIT ON. I'D LIKE TO HIT ON A LOT OF THINGS. A COMMENT WAS MADE THAT ON OUR GRAPH THAT HAS BEEN DROPPING SINCE 1993, I BELIEVE THE GRAPH SAID, DOWN TO NEXT OF ONE IN A MILLION THAT...WELL, WE'VE HAD THAT VACCINATION AROUND SINCE THE 1990s. AND THEREFORE, THAT MAKES THE EFFECT. IT WAS NEVER MANDATED PRIOR TO 2005 ANY FORM OF IT. IN THAT GRAPH LOOK AT SEROGROUP B. THERE HAS NEVER BEEN A VACCINATION FOR IT. IT HAS FALLEN IN THE SAME PROPORTION AS ACWY. THERE IS SOMETHING CULTURALLY GOING ON HERE. NUMBER TWO, THERE WAS NO RECOMMENDATION FOR ROUTINE MENINGOCOCCAL VACCINATION BEFORE 2005, EXCEPT DURING OUTBREAKS IN THE MILITARY RECRUITS. TARGETED VACCINATION WAS USED TO TARGET OUTBREAKS OF THE DISEASE, PRIMARY ON COLLEGE CAMPUSES AND MILITARY BASES. THE BULK OF THE DECREASE IN MENINGOCOCCAL INFECTION OCCURRED PRIOR TO THE INTRODUCTION OF ROUTINE VACCINATION, (INAUDIBLE) VACCINATION. THE DOCTOR WHO SENT ME THAT GRAPH STANDS BY THAT GRAPH. IT IS ACCURATE. THIS IS UNNECESSARY. THIS IS A WASTE. I'M NOT GOING TO SAY THAT. THIS HAS BEEN A GREAT DEBATE. THIS HAS BEEN A GREAT DEBATE BECAUSE PEOPLE ARE BEING EDUCATED TODAY AND YESTERDAY ON SOMETHING THEY'VE HEARD IN THE PAPER ABOUT MENINGITIS. YOU KNOW, IT'S LIKE PEOPLE SAY, I WAS AT THAT FOOTBALL GAME. I WAS THERE. THEIR MEMORIES FAIL THEM. I HEARD TESTIMONY FROM RESPECTED INDIVIDUALS THAT READ IT THAT SAID EVERY SMALL TOWN HAS A MEMORY OF A MENINGITIS OUTBREAK. NOW YOU TELL ME HOW MANY SMALL TOWNS ARE IN NEBRASKA AND WE'VE ONLY HAD 11 CASES IN THE LAST 13 YEARS. IT IS RARE. WHAT THEY DID WAS READ IT IN THE PAPER. THEY HEARD A RUMOR IN THE NEXT COMMUNITY OF SOMETHING. A LOT OF THOSE ARE FALSE POSITIVE RUMORS. THE CDC KEEPS TRACK OF THE FALSE POSITIVE DIAGNOSES, TOO. IT IS RARE. DOESN'T HAPPEN OFTEN. NOW YOU GOT TO DECIDE WHERE PERSONAL FREEDOM, PERSONAL RESPONSIBILITY, AND

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GOVERNMENT MANDATES CROSS THAT LINE. THIS IS NOT ONE OF THOSE. SO I URGE YOU, AS WE KEEP GOING ON, TO REALLY THINK THIS. READ THAT BILL. MENINGITIS VACCINATION DOESN'T EXIST. MENINGOCOCCAL BACTERIAL VACCINATION DOES. SO WHAT ARE WE MANDATING HERE? IT'S NOT GOOD LANGUAGE. IT NEEDS TO BE...GO AWAY AND LET THE PUBLIC-PRIVATE COOPERATION OF THOSE WHO WANT TO VACCINATE THEIR CHILDREN DO SO AND THE COLLEGES IF THEY MANDATE... [LB18]

PRESIDENT FOLEY: ONE MINUTE. [LB18]

SENATOR GROENE: ...FOR DORMS. THAT'S WHERE THE HIGHEST INSTANCE IS. WHEN IT'S RARE IS IN DORMITORIES ON COLLEGE CAMPUSES. MOST OF OUR COLLEGE CAMPUSES EITHER RECOMMEND IT...MOST OF THEM MANDATE IT IF YOU WANT TO STAY IN THE DORM. WE HAVE DONE A GOOD JOB AS NEBRASKA, AS A SOCIETY ON THIS ISSUE. NOW SOMEBODY WANTS TO COME IN, I HEARD YESTERDAY, WELL, IT AIN'T FAIR. SEVENTY-FOUR PERCENT OF THE PEOPLE ARE DOING IT. MOB RULE. WE'RE GOING TO FORCE THE REST OF THEM TO DO IT. REALLY? THAT'S WHY WE MUST GUARD FREEDOM. WE ARE RARE IN THIS COUNTRY BECAUSE OF THAT HUMAN ATTITUDE--MOB RULE. I TALKED TO A YOUNG MOTHER THE OTHER DAY. I SAID DO YOU VACCINATE? SHE SAID YES. I BELIEVE IN HER IMMUNITY. I SAID I ASKED YOU IF YOU INDIVIDUALLY DID IT. SHE SAID YES. I BELIEVE IN HERD MENTALITY...IMMUNITY. WELL, SORRY. YOU DON'T HAVE THAT RIGHT TO FORCE IT ON THE HERD. WE ARE NOT ANIMALS. WE ARE INDIVIDUALS. THANK YOU. [LB18]

PRESIDENT FOLEY: TIME. TIME, SENATOR. THANK YOU, SENATOR GROENE. SENATOR FRIESEN, YOU'RE RECOGNIZED. [LB18]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. I STAND IN OPPOSITION AGAIN TO LB18. I SPOKE ON THIS LAST YEAR. I'VE NOT SPOKEN ON IT YET THIS YEAR. BUT WHEN I LOOK BACK AT HOW I GREW UP AND HOW WE WERE RAISED AND, YOU KNOW, AND I DON'T FEEL VERY OLD, BUT I'M, YOU KNOW, I'M PUSHING 61.

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AND I KNOW WE ALWAYS MADE A LOT OF FUN WHEN WE WERE YOUNGER, OUR SIBLINGS. WE ALL SAID THAT OUR PARENTS HAD SIX KIDS BECAUSE THAT WAY THERE WOULD BE A FEW EXTRA IN CASE WE LOSE SOME. AND, YOU KNOW, LIFE ON THE FARM IS TOUGH. AND SO WHEN YOU LOOK BACK, I MEAN, OUR PARENTS, THERE WERE VACCINATIONS THAT WE HAD JUST LIKE EVERYBODY ELSE. I MEAN POLIO WAS A BIG THING BACK THEN. BUT PARENTS, YOU KNOW, YOUR JOB IS TO LEARN AND EACH KID IS DIFFERENT. YOU LEARN PARENTHOOD IN NUMEROUS DIFFERENT WAYS. AND I REMEMBER WHEN WE FIRST STARTED HAVING KIDS I TOLD NANCY, I SAID, ONE DAY, YOU KNOW, EVERY KID LOOKS LIKE IT'S GOING TO EXPERIMENT. WE TRY DIFFERENT THINGS ON EACH ONE. BUT IN THE END THE PARENTS' RESPONSIBILITY IS STILL ALWAYS THERE TO PROTECT THEM AND DO THE BEST YOU CAN. AND YOU LEARN BY READING AND TALKING TO OTHER PARENTS. AND YOU DO TAKE YOUR KIDS TO THE DOCTOR AND THEY MAKE RECOMMENDATIONS. AND I AM ALL FOR MANDATED VACCINATIONS WHEN NECESSARY. BUT WHEN I LOOK AT THIS ONE IT DOESN'T SEEM TO ME THAT IT RISES TO THE LEVEL THAT IT NEEDS TO BE MANDATED. MY KIDS WHENEVER THEY GOT TO THAT AGE WHERE, YOU KNOW, THAT 15 TO 25 RANGE, IF THEY'D EVER CALL HOME AND SAY THEY WERE SICK THEIR MOTHER WOULD ALWAYS ASK THEM IF THEY COULD TOUCH THEIR CHIN TO THEIR CHEST. THAT WAS HER TEST FOR MENINGITIS. THE DOCTOR HAD SAID...THAT WAS THE QUESTION SHE ASKED. THE DOCTOR HAD ASKED US THE FIRST TIME SHE CALLED IN AND, YOU KNOW, THE KIDS WERE SICK, HAD A FEVER, THE DOCTOR SAYS, WELL, CAN THEY TOUCH THEIR CHIN TO THEIR CHEST? THAT WAS THEIR FIRST QUICK TEST OF WHETHER OR NOT IT WAS MENINGITIS. AND, YOU KNOW, SHE WAS CONCERNED ABOUT IT BUT I DON'T THINK IT WAS EVER...WE EVER FELT THAT IT WAS TO THE LEVEL OF CASES OUT THERE THAT WE NEEDED TO VACCINATE FOR. THERE ARE OTHERS THAT I'M FULLY IN FAVOR OF MANDATORY VACCINATIONS FOR SOMETHING THAT IS...YOU KNOW, CAN SPREAD RAPIDLY AND IT'S...THIS IS A DIFFERENT SCENARIO. THERE HAVE BEEN SO VERY FEW CASES. AND I'M A LITTLE BIT LIKE SENATOR HUGHES. YOU LOOK AT THE COST BENEFIT. WE CAN GO ON AND ON THERE. WE CAN SPEND MONEY UNTIL WE HAVE NONE TO PROTECT EVERY SINGLE LIFE, BUT THERE COMES A POINT YOU CAN'T DO IT. WE

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ARE OUT OF CONTROL. WE CANNOT CONTROL SOME OF THOSE THINGS. AND SO I LOOK AT THIS AND I HAVE EMPATHY FOR A PARENT WHO HAS GONE AND LOST A CHILD. THEY SAY IT'S THE WORST THING THAT COULD EVER HAPPEN TO A PERSON. I BELIEVE IT. I'VE NEVER EXPERIENCED IT AND I HOPE I DON'T. BUT WHEN I LOOK AT THIS IT JUST DOES NOT RISE TO THE LEVEL OF SOMETHING THAT I THINK THE STATE SHOULD MANDATE. WITH THAT I'LL YIELD THE REST OF MY TIME TO SENATOR GROENE. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR FRIESEN. SENATOR GROENE, 1:42.
[LB18]

SENATOR GROENE: THANK YOU, SENATOR FRIESEN AND PRESIDENT. AS I SAID EARLIER, THIS IS VERY RARE, VERY, VERY RARE. AND WE'RE GOING TO TALK TO INDIVIDUALS ABOUT WHAT THEY NEED TO DO FOR THEIR CHILDREN. WE'RE GOING TO SCARE THEM BECAUSE SOMEBODY HEARD THAT IT WAS MANDATORY. BUT I'LL GO BACK TO THE BILL. THIS BILL SAYS, "...ENTERING THE SEVENTH GRADE AND ENTERING THE ACADEMIC YEAR FOLLOWING ATTAINMENT OF SIXTEEN YEARS OF AGE SHALL HAVE AN IMMUNIZATION CONTAINING THE UNITED STATES...DISEASE CONTROL...RECOMMENDED MENINGITIS VACCINES..." SAYS THEY GOT TO DO IT IN SEVENTH GRADE AND IN HIGH SCHOOL. WE TALKED A LOT YESTERDAY ABOUT THE VACCINATION FOR SEROGROUP GROUP B. THEY MET THIS SUMMER, THE CDC, AND DECIDED NOT TO MANDATE IT, ONLY IN CERTAIN HIGH-RISK CASES. BUT IF THEY WOULD HAVE, IF THEY WOULD HAVE MANDATED IT, ACCORDING TO THIS LAW WE WOULD HAVE HAD TO GIVE IT TO THEM AT THE SEVENTH GRADE AND ALSO ENTERING HIGH SCHOOL. AS OF JUNE 2015 MEETING, THE ADVISORY COMMITTEE OF (SIC--ON) IMMUNIZATION PRACTICES RECOMMENDED THAT ADOLESCENTS AND YOUNG ADULTS AGE 16 TO 23 YEARS MAY BE VACCINATED WITH THE SEROGROUP B MENINGOCOCCAL VACCINE. NOT ACCORDING TO OUR LAW: IF THAT WOULD HAVE BEEN MANDATED LAST YEAR, OUR LAW SAYS THEY WOULD HAVE HAD TO GIVE IT TO THEM AT 12 YEARS OF AGE. [LB18]

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PRESIDENT FOLEY: TIME, SENATOR. [LB18]

SENATOR GROENE: THANK YOU. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR GROENE. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB18]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, I DON'T REMEMBER TURNING MY LIGHT ON. BUT SINCE IT'S ON, I'LL JUST MAKE ONE COMMENT, BUT NOT RIGHT NOW. THANK YOU. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB18]

SENATOR SCHNOOR: THANK YOU, MR. PRESIDENT. I GOT AN INFORMATION REQUEST IN TO A FRIEND OF MINE THAT I WAS IN THE MILITARY WITH AND HAVEN'T HEARD ANYTHING BACK YET. BUT WE...IN THE MILITARY YOU GET VACCINATED AGAINST EVERYTHING KNOWN TO MAN. AS "COLONEL" GARRETT REMINDED ME, WE ARE HUMAN PIN CUSHIONS. I GOT MORE SHOTS THAN I CAN EVER IMAGINE AND I'M PROBABLY IMMUNE TO EVERYTHING KNOWN TO MAN. YOU KNOW, SOME OF THE WORST ONES...YOU KNOW, YOU GOT ALL OF THE NORMAL STUFF THAT ANYBODY ELSE GETS. WE USED TO GET GAMMA GLOBULIN SHOTS. THE ONES THAT I DISTINCTLY REMEMBER, BEFORE THE GULF WAR WE GOT CALLED INTO A MEETING, SAID, YOU'RE GOING TO GET VACCINATED. IT'S...THESE SHOTS ARE NOT FDA APPROVED. BUT IF YOU WANT TO GO TO THE BIG SHOW, YOU EITHER GET IT OR YOU STAY HOME. SO YOU LINED UP. WE GOT VACCINATED FOR ANTHRAX, YOU KNOW, ONE OF THE BIOLOGICAL WARFARE WEAPONS THAT SADDAM HUSSEIN WAS THREATENING TO USE. WE GOT VACCINATED FOR BOTULINUM TOXIN. AND I SAY THOSE ARE THE MOST MEMORABLE BECAUSE THOSE WERE THE MOST PAINFUL. THERE'S LIKE FIRE GOING INTO YOUR ARM AND THEN YOU HAD A BIG KNOT ON YOUR SHOULDER FOR A WEEK. BUT WHAT I CAN NEVER REMEMBER BEING VACCINATED FOR WAS

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THE MENINGOCOCCAL VIRUS. NOW IN LOOKING ON THE CDC WEB SITE, ONE OF THE PEOPLE ARE AT RISK, ONE OF THE PEOPLE...YOU KNOW, SOME OF THE PEOPLE THAT ARE AT RISK ARE THE MILITARY BUT YET WE WERE NEVER VACCINATED FOR IT. YOU KNOW, THAT'S NOT TO SAY THAT IF YOU WERE GOING TO DEPLOY TO AFRICA THAT YOU WOULDN'T GET IT. BUT I DEPLOYED TO AFRICA AND I DON'T REMEMBER EVER GETTING IT. SO WHY ARE WE EVEN DEBATING THIS? IF THE PEOPLE THAT ARE AT MOST RISK ARE NOT GETTING THE VACCINATION BUT WE WANT TO GIVE IT TO THOSE THAT ARE AT THE LEAST RISK, THAT MAKES NO SENSE TO ME. SO I WILL CONTINUE TO STAND OPPOSED TO THIS. BUT I JUST THOUGHT THOSE FACTS NEED TO BE PUT OUT. SO LET'S NOT WASTE, YOU KNOW, THE TAXPAYERS' MONEY BY IMMUNIZING PEOPLE THAT DON'T NEED IT SINCE WE DON'T DO IT FOR THOSE THAT NEED IT, THOSE THAT ARE AT MOST RISK ANYWAY. SO I WILL YIELD THE REST OF MY TIME TO SENATOR GROENE. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR SCHNOOR. SENATOR GROENE, JUST OVER 1:00. [LB18]

SENATOR GROENE: THANK YOU, MR. PRESIDENT AND SENATOR SCHNOOR. TO GO BACK TO BASICS--YOU KNOW, SOMETIMES WE GET CARRIED AWAY HERE--I WANT TO REMIND FOLKS THIS IS NOT A BILL TO STOP YOU FROM IMMUNIZING YOUR CHILDREN. FREEDOM WORKS. IF YOU GO INTO YOUR DOCTOR AND HE SAYS, YOUR CHILD HAS A 1 IN 1,000,000 CHANCE OF GETTING THIS AND I ADVISE YOU TO VACCINATE YOUR CHILD, AIN'T FREEDOM GREAT, YOU CAN DO IT. IF YOU TAKE YOUR CHILD INTO THE PUBLIC CLINIC AND THEY SAY, WE RECOMMEND YOU VACCINATE--HOPEFULLY THEY EXPLAIN WHY YOU SHOULD DO IT--YOU'RE FREE TO DO IT AND NOT ONLY FREE TO DO IT, IT'S FREE. YOU DON'T EVEN GET CHARGED. NOBODY IS DENYING YOU THE RIGHT TO DO THIS. IT ISN'T A RIGHT. IT'S A PRIVILEGE OR WHATEVER YOU WANT TO CALL IN A FREE MARKET SYSTEM THAT YOU CAN DO THIS, YOU CAN DO LOTS OF THINGS. WHAT WE ARE SAYING IS THE GOVERNMENT SHOULDN'T MANDATE IT, SHOULD NOT DENY YOUR RIGHT TO FREE INSTRUCTION IN A PUBLIC INSTITUTION IF YOU DO NOT

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DO WHAT THEY SAY. THAT'S WHAT WE ARE FIGHTING HERE. YOU ARE FREE TO HAVE YOUR CHILD VACCINATED. [LB18]

PRESIDENT FOLEY: TIME, SENATOR. THANK YOU, SENATOR GROENE. SENATOR BRASCH, YOU'RE RECOGNIZED. [LB18]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT. AND GOOD MORNING, COLLEAGUES. THIS IS THE FIRST TIME I HAVE SPOKEN ON THIS, THIS SESSION. I DID STAND UP IN OPPOSITION LAST SESSION AND I'M STILL OPPOSED TO LB18. AND I DO SUPPORT AM143. AND LIKE MANY OF MY OTHER COLLEAGUES, I'M NOT OPPOSED TO IMMUNIZATIONS. SOME ARE ABSOLUTELY NECESSARY AND WITHOUT THEM THERE WOULD BE GREAT NATIONAL CONCERN AND STATEWIDE ALARM. AND I BELIEVE THOSE VACCINES, YOU KNOW, ARE VERY CLEAR TO OUR PHYSICIANS, OUR NURSES, OUR SCHOOLS, PARENTS, AND OTHERS THAT VACCINES, WITHOUT THEM, THAT WE WOULD BE IN HARM'S WAY. BUT FROM LISTENING AND READING AND AGAIN THE SECOND TIME, THERE IS NO ALARM HERE. THERE IS NO ALARM. AND PARENTS AND INDIVIDUALS CAN STILL CHOOSE TO GET THIS VACCINE. THEY CAN CHOOSE TO GET THIS. NO ONE IS STOPPING THEM. IF THERE IS A CONCERN AMONG PARENTS OR EDUCATORS, YOU HAVE DIFFERENT METHODS TO GET THE WORD OUT THAT YOU NEED THIS VACCINE. IS IT THAT IT'S NEEDED OR IS IT THAT IT IS WANTED? WE SAW THE STATISTICS--1 IN 1,000,000?--WHAT THE ODDS ARE. WE SAW THE STATISTICS AT THE AGE THAT THIS HAS OCCURRED, NOT IN YOUNG CHILDREN. I BELIEVE ONE WAS IN THEIR 50s, ONE WAS IN THEIR 20s. WE KNOW THE LENGTH OF TIME THIS VACCINE IS ACTIVE. YOU KNOW, ALL THE SCIENCE IS THERE THAT BASICALLY I THINK THAT INDIVIDUALS NEED TO MAKE A CHOICE, PARENTS NEED TO MAKE A CHOICE. SCHOOLS, YOU KNOW, IF THERE IS A CONCERN, THEY HAVE...THEY'RE EDUCATORS. THEY CAN EDUCATE THIS. WE'RE LOOKING AT THE ODDS, AGAIN, 1 IN 1,000,000. BUT IF YOU LOOK AT THE FISCAL NOTE, COLLEAGUES, IT'S OVER A \$250,000 THAT THIS WILL COST TAXPAYERS ON WHAT THE MEDICAL WORLD SAYS IS NOT ALARMING OR URGENT OR MANDATORY; \$253,917 ON A VACCINE THAT YOU WILL BE MAKING SOMEONE GET. IT WILL BE, AGAIN, TAKING VALUABLE

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DOLLAR RESOURCES ON A VACCINE THAT HAS NOT DEEMED AN URGENT NEED. THE HANDOUTS ARE VERY GOOD THAT HAVE BEEN HANDED OUT TO DATE BY SENATOR GROENE AND A FEW OTHERS ON WHAT THE REAL NUMBERS ARE HERE ON THIS VACCINE. AND AGAIN, IF A PARENT WANTS TO HAVE THIS, ABSOLUTELY, PLEASE, TAKE YOUR FAMILY, YOUR CHILDREN, AND MOVE FORWARD. IF YOU THINK THIS IS VALUABLE, TALK TO YOUR NEIGHBORS' FAMILIES THAT... WHY YOU FEEL THAT THIS IS SOMETHING THAT NEEDS TO BE DONE ON A PUBLIC SENSE. BUT PUBLIC WIDE, I THINK WE NEED TO WATCH CAREFULLY ON WHAT THE PRIORITIES ARE ON VACCINATIONS, ON WHAT THE NUMBER OF FREQUENCIES ARE IN THE STATE,... [LB18]

PRESIDENT FOLEY: ONE MINUTE. [LB18]

SENATOR BRASCH: ...WHAT THE AGES ARE. THE FACTS HAVE BEEN VERY CLEAR. IT IS A GOOD BILL, YOU KNOW. IT IS GOOD, BUT IT'S BETTER YET IF THE PARENTS ARE ALLOWED TO MAKE THIS DECISION AND MAKE THIS CHOICE AND NOT HAVE THIS A MANDATORY VACCINE AND NOT BRING IT, YOU KNOW, FORWARD THROUGH THE LEGISLATURE BUT THROUGH COMMUNITY OUTREACH. THANK YOU, COLLEAGUES. ONCE AGAIN, THERE'S A LOT OF MATERIALS ON THIS AND I ENCOURAGE YOU TO LOOK AT THIS. AND THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR BRASCH. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB18]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. I WAS JUST SITTING HERE THINKING, HOW CAN WE GET THE JOURNAL STAR TO ENDORSE THIS BILL? I THINK IT WOULD BE EASIER TO GET CONSERVATIVES TO KILL IT IF WE GET THE JOURNAL STAR. UNFORTUNATELY, I THINK WE'RE GOING TO COME TO A VOTE HERE TODAY SO WE WON'T...IF WE COULD HOLD OUT ONE MORE DAY AND GET THE JOURNAL STAR TO ENDORSE IT, I THINK WE COULD GET EVERY CONSERVATIVE TO JUST KILL THIS THING AND BE DONE WITH IT. BUT THAT'S

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NOT GOING TO HAPPEN. SO THAT'S MY DREAM WORLD. I'M ALLOWED TO DREAM. I'M ALLOWED TO HAVE MY WISHES. I'M ALLOWED TO THINK OF A BETTER WORLD AND HOW THINGS MIGHT BE IF I WAS RUNNING IT. BUT IT'S NOT GOING TO HAPPEN, SO I GUESS WE WON'T GET THE JOURNAL STAR EDITORIAL BOARD TO ENDORSE THIS. I DO WANT TO SAY THIS ABOUT THE JOURNAL STAR EDITORIAL BOARD: THEY HAVE EVERY RIGHT TO BE LIBERAL; THEY HAVE EVERY RIGHT TO BE MODERATE OR WHATEVER THEY WANT TO BE; AND I SUPPORT THEIR FREEDOM TO SAY AND DO WHAT THEY WANT. I RESERVE THE RIGHT TO CRITICIZE THEM WHEN I DISAGREE AS THEY HAVE THE RIGHT TO CRITICIZE ME, AND THEY'VE DONE IT ON QUITE A FEW OCCASIONS, I BELIEVE. SO THAT'S THE WAY OUR SYSTEM WORKS. I THINK WE SHOULD EMBRACE IT AND I DO SUPPORT A VIGOROUS AND THOROUGH VETTING BY THE MEDIA OF BILLS AND ISSUES AND EXPOSING THINGS AND THEN ON THE EDITORIAL PAGE SAYING WHAT THEY THINK. THERE'S NOTHING WRONG WITH THAT AND I'M GLAD WE HAVE THE EDITORIAL PAGES EVEN THOUGH THEY SOMETIMES BEAT ME UP, NEVER SUPPORT ME. AND I STILL...WE STILL NEED THEM AND I'M GLAD THEY'RE HERE. AND THAT GOES FOR THAT OTHER CRAZY PAPER UP THERE IN OMAHA TOO. I REALLY WANTED TO PUNCH MY LIGHT BECAUSE I WANT TO YIELD MY TIME TO SENATOR GROENE. I'M SITTING HERE ENJOYING HEARING HIM SPEAK. HE IS VERY REFRESHING. I THINK THERE'S PEOPLE AT HOME THAT LISTEN TO SENATOR GROENE AND THEY'RE GOING, DARN STRAIGHT, THAT'S EXACTLY HOW I FEEL. I THINK IF THERE IS ANYONE THAT REPRESENTS THE COMMON MAN HERE AND WHAT THE AVERAGE PERSON AT HOME WHO IS JUST WORKING HIS JOB, PROVIDING FOR HIS FAMILY, GOING TO CHURCH AND ALL THE THINGS WE DO AS CITIZENS, IT'S SENATOR GROENE. I THINK HE SPEAKS FOR THAT SEGMENT, THE REGULAR OLD WORKING GUY THAT LOOKS AT US DOWN HERE AND SAYS, WHAT THE HECK ARE YOU GUYS DOING, JUST GET OUT OF MY LIFE, LET ME SPEND MY MONEY, AND I'LL DO JUST FINE. I THINK THAT'S WHAT THE AVERAGE PERSON IN OUR STATE SAYS IS, JUST GET OUT OF MY LIFE AND LET ME HAVE MY LIFE AND LET ME HAVE MY MONEY. I DON'T THINK ANYBODY SPEAKS FOR THAT GROUP BETTER THAN SENATOR GROENE. AND I TELL YOU, THE DIFFERENCE THAT HE HAS MADE SINCE HE'S BEEN IN THIS BODY, REMEMBER, AS A

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FRESHMAN SENATOR GROENE LED THIS FIGHT AS A FRESHMAN. HE'D BEEN HERE SIX WEEKS AND HE LED HIS FIRST MAJOR FIGHT AND I THINK THAT SAYS AN AWFUL LOT ABOUT HIM. WE HAVE SOME OUTSTANDING PEOPLE IN THIS BODY. HE'S CERTAINLY ONE OF THEM AND HE'S NOT ALONE. WE HAVE A LOT OF GOOD PEOPLE THAT CAME WITH THAT CLASS LAST YEAR AND I'M PRIVILEGED TO SERVE WITH EACH AND EVERY ONE OF THEM. BUT I CAN'T SAY THAT EVERYONE DOWN HERE SPEAKS FOR THE LITTLE GUY. WE ALL WANT TO SPEAK FOR THE LITTLE GUY; WE ALL WANT TO SPEAK FOR THE AVERAGE GUY. BUT I JUST DON'T THINK ANYONE DOES IT BETTER THAN SENATOR GROENE. SO WITH THAT, MR. PRESIDENT, I WILL YIELD THE REMAINDER OF MY TIME TO THE MAN, THE VOICE OF THE COMMON MAN, SENATOR GROENE. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR KINTNER. SENATOR GROENE, 1:30. [LB18]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. BILL, WHAT ARE YOU AFTER? ANYWAY, THIS IS POLITICS. (LAUGH) MY DOUGHNUT! YOU CAN HAVE MY DOUGHNUTS FOR THE NEXT THREE WEEKS. ANYWAY, NO, SENATOR KINTNER IS A GREAT INDIVIDUAL ALSO. HE STANDS UP. HE RUBS ELBOWS WITH THE WORKING MAN ALSO AND THE WORKING PERSON AND THE STRUGGLING FAMILIES. AND THAT'S WHERE I COME FROM TOO. THAT'S MY BACKGROUND. I'VE LIVED THE AMERICAN DREAM. GREW UP POOR. LIVED THE AMERICAN DREAM. IF SOME OF YOU OUT THERE THINK I'M A LITTLE TOO STRONG, IT'S MY CULTURE. I'M AN ANGRY WHITE MALE. PLEASE DON'T INSULT MY CULTURE. I HAVE A STRONG VOICE AND IT'S NOT MEANT TO BE TOO STRONG THAT I'M DICTATING TO YOU. AS TO SOME OF THE OTHER...HERE'S SOME MORE CDC INFORMATION. AT THE JUNE 2015 MEETING, THE ADVISORY COMMITTEE OF (INAUDIBLE) RECOMMENDED...EXCUSE ME, I JUMPED TO THE WRONG AREA. I READ THAT LAST TIME. ACIP REVIEWED THE BURDEN OF SEROGROUP B MENINGITIS DISEASE AMONG ADOLESCENTS, YOUNG ADULTS, AND COLLEGE STUDENTS. MENINGOCOCCAL DISEASE IS A RARE BUT SERIOUS ILLNESS AND EACH CASE IS

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LIFE THREATENING. THE UNITED STATES IS CURRENTLY EXPERIENCING AN HISTORIC LOW IN MENINGOCOCCAL DISEASE INCIDENCE, POINT... [LB18]

PRESIDENT FOLEY: TIME, SENATOR. TIME. [LB18]

SENATOR GROENE: I'LL FINISH IT LATER. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR GROENE. SENATOR GARRETT, YOU'RE RECOGNIZED. [LB18]

SENATOR GARRETT: THANK YOU, MR. PRESIDENT. I RISE IN OPPOSITION OF LB18. THIS I THINK IS A CLASSIC EXAMPLE OF A SOLUTION IN SEARCH OF A PROBLEM. YOU LOOK AT THE NUMBERS, THE NUMBERS ARE COMPELLING. THIS IMMUNIZATION IS NOT REQUIRED. THIS IS ANOTHER CLASSIC EXAMPLE OF GOVERNMENT OVERREACH AND THIS THING IS GOING TO COST US AN ARM AND A LEG. ONE HUNDRED AND FIFTY DOLLARS PER IMMUNIZATION FOR SOMETHING THAT'S NOT PROVEN TO BE AN ISSUE, IT'S JUST...IT'S ABSOLUTELY COMPELLING TO...WE DO NOT NEED THIS BILL. WE DO NOT NEED THIS IMMUNIZATION. AND I'D LIKE TO YIELD THE REST OF MY TIME TO SENATOR GROENE IF HE WOULD CARE FOR IT. [LB18]

PRESIDENT FOLEY: TANK YOU, SENATOR GARRETT. SENATOR GROENE, ABOUT 4:00 TO GO. [LB18]

SENATOR GROENE: THANK YOU, SENATOR GARRETT AND PRESIDENT. I'LL READ THAT AGAIN. THIS IS FROM THE CENTER OF CDC, OCTOBER 23, 2015, A PRESS RELEASE. "THE UNITED STATES IS EXPERIENCING A HISTORIC LOW IN MENINGOCOCCAL DISEASE INCIDENCE," NOT MENINGITIS DISEASE, NO SUCH THING, "MENINGOCOCCAL DISEASE INCIDENCE (0.18 PER 100,000 AMONG PERSONS OF ALL AGES)(CDC, UNPUBLISHED DATA, 2013), AND THE INCIDENCE OF DISEASE HAS DECLINED FOR ALL MENINGOCOCCAL SEROGROUPS, INCLUDING SEROGROUP B, A SEROGROUP NOT INCLUDED IN THE QUADRIVALENT

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(SEROGROUPS A, C, W, Y) MENINGOCOCCAL CONJUGATE VACCINES." SOMETHING CULTURALLY IS HAPPENING WITH MENINGOCOCCAL BACTERIAL DISEASE IN THE UNITED STATES. EVEN SEROGROUP B IS GOING DOWN DRASTICALLY. AND WE'VE NEVER VACCINATED FOR IT, ANYBODY, BECAUSE NO VACCINATION EXISTED. "THE INCIDENCE OF SEROGROUP B MENINGOCOCCAL DISEASE IS STABLE AND LOW IN ADOLESCENTS AND YOUNG ADULTS AGED 11-23 YEARS..." WE ARE VACCINATING. AS SENATOR GARRETT SAID, THIS IS A PHARMACEUTICAL COMPANY LOOKING FOR A PROBLEM THAT DOESN'T EXIST. AS I SAID EARLIER, YOU WILL NEVER ELIMINATE MENINGOCOCCAL DISEASE, BACTERIAL DISEASE. THAT BACTERIA LIVES IN THE NASAL PASSAGES OF 5 TO 10 PERCENT OF THE POPULATION OF THE WORLD. ISN'T IT AMAZING HOW NATURE WORKS. AND THEN 85 PERCENT OF US ARE IMMUNE TO IT. WE CAN'T IDENTIFY THEM. IT WOULD BE NICE IF A DRUG COMPANY CAME UP WITH A TEST. WOULDN'T THAT BE NICE IF THEY CAME UP WITH A TEST THAT SAID YOU ARE ACCEPTABLE TO IT, YOU ARE NOT? MAYBE DOWN THE ROAD. MAYBE IF WE TURN THIS DOWN AND THEY REALIZE THEY'RE NOT GOING TO JUST BE ABLE TO SELL A VACCINATION TO EVERY 12-YEAR-OLD AND EVERY 16-YEAR-OLD, MAYBE THEY'LL DO THE RIGHT THING. AM I SKEPTICAL? YES. THIS IS A DISEASE LOOKING FOR A PROBLEM...A VACCINATION LOOKING FOR A PROBLEM. I DON'T KNOW WHY IT EVER CAME UP. WE HAVEN'T HAD A CASE IN FIVE YEARS IN THAT AGE GROUP THAT WE WANT TO VACCINATE, THAT THE CDC RECOMMENDS VACCINATING, SUGGESTED--THEY DON'T MANDATE--HAVEN'T HAD A CASE IN THAT AGE GROUP. WHY WAS THIS BROUGHT FORWARD? USUALLY WE LEGISLATE IN REACTION TO SOMETHING THAT'S OUT THERE IN SOCIETY, A CHANGE IN SOCIETY. THIS HAS BEEN A GOOD CHANGE IN SOCIETY. THE INCIDENCE IS DROPPING DRASTICALLY. SO LOOK AT THE BILL. READ IT. ASK SOMEBODY WHAT A MENINGITIS VACCINE IS--NO SUCH THING. [LB18]

PRESIDENT FOLEY: ONE MINUTE. [LB18]

SENATOR GROENE: ASK THEM WHY WE'RE VACCINATING SEVENTH GRADERS AND, IF YOU WANTED TO DO...IF IT BE MORE ACCURATE TO WHAT THE CDC

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RECOMMENDED, SAY SEVENTH GRADE OR BEFORE THE...AT 16 YEARS OF AGE. WE'RE FORCING THEM TO VACCINATE THEM TWICE. THAT'S THE WAY IT READS. CDC DOESN'T RECOMMEND THAT. WHAT HAPPENS IF ANOTHER VACCINATION COMES OUT? SEROGROUP B. WHAT IF THEY COME WITH THEY'RE JUST TALKING ABOUT A STRONG SEROGROUP B VACCINATION THAT AFFECTS INFANTS TO 3 YEARS' AGE. ACCORDING TO THIS, IF THAT VACCINE COMES OUT AND IT'S A MENINGITIS VACCINATION, WHOEVER'S DEFINITION THAT IS, WE GOT TO GIVE IT TO SEVENTH GRADERS WHEN IT'S FOR BABIES. THAT'S WHAT IT SAYS. ALL VACCINES, MENINGITIS VACCINES, HAVE TO BE GIVEN TO A SEVENTH GRADER AND A 16-YEAR-OLD. THAT'S THE WAY THE LANGUAGE READS. ARE YOU GOING TO VOTE FOR LEGISLATION LIKE THAT? IT'S NOT CLEAR; IT'S NOT WELL WRITTEN. [LB18]

PRESIDENT FOLEY: TIME, SENATOR. [LB18]

SENATOR GROENE: THANK YOU. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR GROENE. SENATOR FRIESEN, YOU'RE RECOGNIZED. [LB18]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. I'LL YIELD MY TIME TO SENATOR GROENE. [LB18]

PRESIDENT FOLEY: SENATOR GROENE, 5:00. [LB18]

SENATOR GROENE: LET ME SEE IF I GOT SOMETHING NEW TO READ TO YOU. AS I SAID EARLIER, AS OF 2010...THIS IS ANOTHER CDC, CENTERS FOR DISEASE CONTROL AND PREVENTION. "AS OF 2010, THERE REMAINS LIMITED EVIDENCE THAT ANY OF THE CURRENT CONJUGATE VACCINES OFFER CONTINUED PROTECTION BEYOND THREE YEARS; STUDIES ARE ONGOING TO DETERMINE THE ACTUAL DURATION OF THE IMMUNITY, AND THE SUBSEQUENT REQUIREMENT OF BOOSTER VACCINATIONS." WE DO IN NEBRASKA, MOST

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DOCTORS DO RECOMMEND WHEN I TALK TO PARENTS, AND THE COLLEGES DO, TO VACCINATE BEFORE YOU GO INTO COLLEGE IF YOU'RE GOING TO LIVE IN A DORM. THAT'S WHERE THE PROBLEM IS. WE CONGREGATE ALL THESE CHILDREN IN THIS DORM. THAT'S WHERE MOST OF THE CASES ARE IN THAT AGE GROUP, BELIEVE IT OR NOT, EVEN AT THE RARITY THERE IS. I SAID THE CASE BECAUSE THERE USUALLY IS ONLY ONE OR TWO A YEAR. AND YOU'VE HEARD THAT THERE'S 1,500 CASES NATIONWIDE. NURSING HOMES IS A LARGE PART OF THAT BECAUSE WE AGAIN CONGREGATE PEOPLE OF A CERTAIN AGE GROUP IN ONE AREA. SO THE CHANCE OF ONE OF THE 15 PERCENT WHO ISN'T IMMUNE CAN RUN INTO ONE OF THE 10 PERCENT WHO CARRIES IT IN THEIR NASAL PASSAGE. AND THEY HAVE TO SNEEZE BASICALLY IN EACH OTHER'S FACE OR COUGH IN EACH OTHER'S FACE TO SPREAD IT. IT'S NOT HIGHLY...SO THE 1,500, AND THEN YOU HAVE INFANTS THAT HAVE IT. THERE IS A VACCINATION FOR THOSE. THERE'S ALSO VIRAL MENINGITIS. THAT'S INCLUDED IN THERE. THAT'S RARE BECAUSE THE IMMUNITY FOR IT...I MEAN THE VACCINATION FOR IT VERY HIGHLY DOES A GOOD JOB. THEN AGAIN, IT'S A VIRUS, IT'S NOT A BACTERIA. THERE'S A LOT OF DIFFERENT DISEASES THAT CAUSE MENINGITIS, WHICH IS THE SWELLING OF THE BRAIN LINING. THIS IS HOW WE GET BAD LEGISLATION. PEOPLE WHO BROUGHT THIS ORIGINALLY WANTED TO MAKE A BUCK. THAT DIDN'T WORK. THEY WERE THE ONLY ONE TESTIFYING IN 2014. THAT DIDN'T WORK SO HERE IT CAME BACK AGAIN. AND NEXT...THIS TIME IT WAS THE COUNTY HEALTH CLINICS, 23 OF THEM. THEY'RE NOT EXPERTS IN THIS. YOU WALK IN THERE AND THEY GIVE YOU VACCINATIONS. THEY DO TESTS FOR TB. THEY'RE GOOD PEOPLE WITH A JOB. THEY GO HOME TO THEIR FAMILIES. THAT'S WHERE IT CAME FROM, WE WERE TOLD THIS TIME AROUND. SOUNDS BETTER, DOESN'T IT, THOSE HARDWORKING PEOPLE OUT THERE IN PUBLIC HEALTH CLINICS WANT THIS DONE? ORIGINALLY IN 2014 THE REPRESENTATIVE THEN OF THE ORGANIZATION WAS AGAINST THE BILL, SAME ARGUMENTS. YOU CAN GO BACK AND LOOK AT THE TESTIMONY--SAME ARGUMENTS THAT WE ARE PRESENTING. WE'RE DOING A GOOD JOB. PUBLIC-PRIVATE COOPERATION, WE'RE DOING A GOOD JOB. YOU DON'T HAVE TO MANDATE THIS. I DON'T KNOW WHAT HAPPENED SINCE IN THE TWO YEARS, WHO TOOK OVER CONTROL OF THE

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ORGANIZATION. BUT I CAN SHOW YOU THAT. AND BY THE WAY, IF ANYBODY DOUBTS ANY OF THE INFORMATION I'VE BEEN GIVING, I'VE GOT IT HERE ON CDC PAPER DOCUMENTS, ON STATE OF NEBRASKA DOCUMENTS, ON TESTIMONY AT THE HEARINGS IN THE ARCHIVES OF THE LEGISLATURE. I HAVE IT ALL. NOT ONCE HAVE I MENTIONED RELIGION. NOT ONCE HAVE I MENTIONED SOMEBODY,... [LB18]

PRESIDENT FOLEY: ONE MINUTE. [LB18]

SENATOR GROENE: ...A GROUP THAT GETS VACCINATIONS, WHICH THEY HAVE A RIGHT TO BE AND THEY SHOULD HAVE THAT FREEDOM TO DO THAT BECAUSE THEY'RE THEIR FAMILY. AND THAT'S BACK TO THIS AMENDMENT THAT WE...THAT I'VE OFFERED, A PHILOSOPHY: KEEP RELIGION OUT OF IT. YOUR PHILOSOPHY IF YOU'RE A GOOD CHRISTIAN IS BASED ON YOUR RELIGION. YOUR LIFE IS BASED ON IT, NOT JUST YOUR PHILOSOPHY. BUT THERE'S OTHER RELIGIONS, AS SENATOR CHAMBERS POINTED OUT. PHILOSOPHY FITS BETTER. THAT FITS MORE INTO OUR CONSTITUTION OF INDIVIDUAL RIGHTS. IF YOU DON'T WANT TO DO IT AND YOU'RE OF NO HARM TO ANYONE ELSE, THAT'S YOUR PHILOSOPHY, THAT'S YOUR RIGHT. SO ANYWAY, AS I SAID, I THANK SENATOR KUEHN BECAUSE HE BROUGHT UP LET'S GO BACK TO THE BILL. AND I DID LAST NIGHT. I LOOKED AT THAT BILL. [LB18]

PRESIDENT FOLEY: TIME, SENATOR. [LB18]

SENATOR GROENE: AND I SAID...WHAT'S THAT? [LB18]

PRESIDENT FOLEY: THAT'S TIME, SENATOR. [LB18]

SENATOR GROENE: THANK YOU. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR GROENE. SENATOR HILKEMANN, YOU'RE RECOGNIZED. [LB18]

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SENATOR HILKEMANN: THANK YOU, MR. CHAIRMAN. I HAVE NOT SPOKEN ON THIS BILL THIS YEAR. I AM CONFLICTED. I UNDERSTAND EXACTLY THE ARGUMENT THAT SENATOR GROENE IS PROPOSING, THE COST OF THIS, THE RARITY OF THIS DISEASE. BUT I'M ALSO AWARE OF THE DEVASTATION OF THIS DISEASE. AND I...AND, SENATOR KRIST, WOULD YOU BE AVAILABLE FOR A QUESTION? [LB18]

PRESIDENT FOLEY: SENATOR KRIST, WOULD YOU YIELD, PLEASE? [LB18]

SENATOR KRIST: YES. [LB18]

SENATOR HILKEMANN: SENATOR, WE'RE MANDATING THIS. HOW MANY STATES PRESENTLY MANDATE THIS VACCINATION? [LB18]

SENATOR KRIST: THERE ARE CURRENTLY 15 STATES THAT HAVE THIS OR SIMILAR LEGISLATION IN PLACE THAT REQUIRE THE STATE AND THE HEALTH DEPARTMENT TO FOLLOW THE CDC RECOMMENDATIONS. [LB18]

SENATOR HILKEMANN: OKAY. SENATOR, ARE ANY OF THESE 15 STATES SURROUNDING NEBRASKA THAT YOU'RE AWARE OF? [LB18]

SENATOR KRIST: I'D HAVE TO GET BACK TO YOU EXACTLY, BUT I DO BELIEVE THAT WE HAVE TWO BORDERING STATES THAT HAVE THIS PIECE OF LEGISLATION OR HAVE THIS IN STATUTE. [LB18]

SENATOR HILKEMANN: SENATOR, WE'RE MANDATING THIS, BUT THERE'S AN OPT OUT IF PEOPLE DO NOT WANT TO HAVE THIS VACCINATION. AM I CORRECT? [LB18]

SENATOR KRIST: SENATOR, YES. AND I THINK AS A DOCTOR, YOU WOULD REALIZE...AND I THINK WE TALKED ABOUT IT LAST YEAR, BUT I CAN SEND THAT INFORMATION AROUND AGAIN. THERE'S A STANDARD OPT OUT FOR ANY

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VACCINATION AND IT'S BETWEEN THE INDIVIDUAL OR THE GUARDIAN AND THE DOCTOR TO DECIDE IF THAT'S RIGHT FOR THE CHILD. [LB18]

SENATOR HILKEMANN: SO IN SOME WAYS WE'RE MANDATING SOMETHING THAT CAN BE OPTED OUT OF, SO IT REALLY ISN'T MANDATORY. SO, THIS IS SOMEWHAT OF AN INTERESTING ARGUMENT THAT WE'RE HAVING ON THIS WHOLE THING. THANK YOU VERY MUCH, SENATOR. I JUST WANTED TO GET THAT CLARIFICATION. WHEN I GO...AND AS A PODIATRIST, I DIDN'T DO ANY IMMUNIZATIONS AND SO I HAVE TO LOOK AT THE PEOPLE THAT I RESPECT IN THIS PROFESSION WHO THINK THAT THIS IS GOOD LEGISLATION, PEOPLE SUCH AS THE PUBLIC HEALTH ASSOCIATION OF NEBRASKA, THE FRIENDS OF PUBLIC HEALTH IN NEBRASKA, NATIONAL...THE NEBRASKA ASSOCIATION OF LOCAL HEALTH DIRECTORS, THE NEBRASKA BOARD OF HEALTH, OF WHICH I WAS CHAIRMAN AT ONE TIME--I RESPECT THAT ORGANIZATION A GREAT DEAL--THE NEBRASKA MEDICAL ASSOCIATION, THE NEBRASKA ACADEMY OF PEDIATRICS, THE NEBRASKA ACADEMY OF FAMILY PHYSICIANS, THE NEBRASKA PHARMACIST ASSOCIATION, THE NEBRASKA NURSE'S ASSOCIATION, THE IMMUNIZATION TASK FORCE FOR METRO OMAHA, LINCOLN/LANCASTER IMMUNIZATION, THE NEBRASKA STATE EDUCATION ASSOCIATION. THIS IS AN INTERESTING GROUP THAT FEEL THAT THIS IS GOOD LEGISLATION. I'M GOING TO CONTINUE TO PONDER. I'M LISTENING, AGAIN, VERY CLOSELY ON THIS. BUT WHAT I...ONE OF THE FEARS I HAVE IS THAT WE GET...IS THAT WE DRAW THIS ATTENTION TO THIS IMMUNIZATION. WHAT ARE WE GOING TO DO WITH OTHER IMMUNIZATIONS THAT WE'VE ALREADY TALKED ABOUT? AND I APPRECIATE THAT THE CONVERSATION THIS YEAR HAS STAYED ON THE MENINGOCOCCAL. LAST YEAR WE GOT INTO THE OTHERS AND IT GOT RATHER CONFUSING. SO I'M CONTINUING TO LISTEN TO THE DEBATE. AND THANK YOU ONCE AGAIN, MR. SPEAKER. THANK YOU. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR HILKEMANN. SENATOR BRASCH, YOU'RE RECOGNIZED. [LB18]

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SENATOR BRASCH: THANK YOU ONCE AGAIN, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. I STAND ONCE AGAIN IN SUPPORT OF PARENTS MAKING THE CHOICE OF IMMUNIZATIONS ON ONES THAT, LIKE THIS ONE, THAT IS NOT MANDATED. IT IS NOT MANDATED AND ONLY RECOMMENDED. IF YOU LOOK AT THE COMMITTEE STATEMENT, IT'S RECOMMENDED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION. I THINK EVERYONE JUST GOT AN E-MAIL FROM "VACCINOMICS." I KNOW I'M NOT PRONOUNCING THAT CORRECTLY, BUT IT'S FROM AN M.D. AND YOU CAN READ YOUR E-MAIL AND IN THIS THEY'RE ENCOURAGING A VOTE OF NO ON LB...ON THIS BILL, AND THEY'RE SAYING THAT THIS AREA OF MEDICINE AND DELIVERY OF VACCINES IS COINED BY--"VACCINOMICS"--BY THE MAYO CLINIC VACCINE RESEARCHERS. THEIR POSITION IS TO SAVE THE STATE MONEY. THAT \$253,000 I'M GUESSING IS WHAT THEY'RE TALKING ABOUT. THEY'RE SAYING AMEND THIS BILL, THAT PEOPLE SHOULD HAVE PROOF OF IMMUNITY TO MENINGITIS VIA LAB TEST SHOWING THAT THEY HAVE ANTIBODIES TO MENINGITIS. AND IT'S AN INTERESTING E-MAIL. I'M NOT GOING TO READ IT TO YOU ON THE FLOOR. SENATOR GROENE MAY WANT TO READ IT TO YOU ON THE FLOOR, BUT I'M NOT GOING TO READ IT TO YOU ON THE FLOOR. THEY STRESS AGAIN THAT PERHAPS THIS SHOULD NOT BE MANDATED BY THE STATE. PERHAPS WE SHOULD HAVE SOME ABILITIES AS CITIZENS, INDIVIDUALS, PARENTS, FAMILY MEMBERS, TO MAKE A DECISION. IF IT'S ONLY RECOMMENDED, PERHAPS WE NEED TO STEP UP AND CHOOSE TO GET THIS VACCINE OR NOT GET THIS VACCINE. I'M ALSO LOOKING AT THE COMMITTEE STATEMENT AND LOOKING AT THE PROPONENTS THAT CAME HERE. I DO NOT SEE THE NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES. I DO SEE THE NEBRASKA SCHOOL NURSE ASSOCIATION AND THE STATE EDUCATION ASSOCIATION AND I THINK THEY HAVE EXCELLENT COMMUNICATION TOOLS WITH OUR SCHOOLS. I BELIEVE THEY ARE THE PEOPLE THAT CAN REACH OUT TO PARENTS AND FAMILY MEMBERS AND ALSO RECOMMEND THIS. I'M LOOKING AT THE COMMITTEE STATEMENT. I SEE THAT ONLY SIX MEMBERS OF THE COMMITTEE DID VOTE TO SUPPORT THIS. SENATOR GROENE OPPOSED. SENATOR KOLOWSKI, I'M WONDERING IF YOU WILL PLEASE YIELD TO A QUESTION. [LB18]

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PRESIDENT FOLEY: SENATOR KOLOWSKI, WOULD YOU YIELD, PLEASE? [LB18]

SENATOR KOLOWSKI: YES, I WILL. [LB18]

SENATOR BRASCH: THANK YOU, SENATOR KOLOWSKI. AND YOU WERE ON THE COMMITTEE AND YOU HEARD THE ARGUMENTS AND I SEE THAT YOU WERE PRESENT AND NOT VOTING. AND AS A SCHOOL ADMINISTRATOR FOR MANY YEARS, DID YOU HAVE ANY INCIDENTS WITHIN YOUR SCHOOL OF PARENTS NOT WANTING TO VACCINATE OR PARENTS WHO HAD NOT VACCINATED WITH THIS? WERE THERE ANY INCIDENTS OF THIS MENINGITIS AT THE MILLARD SCHOOLS OR OTHERS? [LB18]

SENATOR KOLOWSKI: I CAN'T SPEAK FOR THE ENTIRE DISTRICT AS A WHOLE, BUT AT THE HIGH SCHOOL LEVEL, USUALLY THAT'S BEEN DECIDED BEFORE THEY GET TO THE HIGH SCHOOL GRADE LEVELS OF 9 THROUGH 12. AS HAS BEEN MENTIONED ON THE FLOOR, THE SEVENTH GRADE OR OTHER GRADE LEVELS... [LB18]

PRESIDENT FOLEY: ONE MINUTE. [LB18]

SENATOR KOLOWSKI: ...WHEN THAT MIGHT BE DECIDED, OUR NURSE AT THE HIGH SCHOOL WOULD CHECK IN ANY NEW STUDENT AND LOOK AT THEIR RECORD. AND AS HAS BEEN MENTIONED BY SENATOR HILKEMANN, THE OPTION IS THERE TO DENY TAKING THAT SHOT OR RECEIVING THAT INOCULATION. AND PARENTS HAVE THE RIGHT TO DO THAT BY THEIR OWN PHILOSOPHY OR RELIGIOUS TENETS. SO THAT...IT WAS NOT MUCH OF AN ISSUE IN THE HIGH SCHOOL LEVEL OF THE MILLARD PUBLIC SCHOOLS BECAUSE THAT'S DECIDED EARLIER. [LB18]

SENATOR BRASCH: THANK YOU. I DO UNDERSTAND THAT AND THAT'S WHY I AM BELIEVING THAT THE COMMUNICATION...I BELIEVE PARENTS ARE COMPLIANT WHEN THEY BELIEVE THERE IS A NEED. AGAIN, THE NEED, THE ODDS, THE

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STATISTICS, THE NUMBERS OF INCIDENTS ARE NOT THERE TO BACK THIS AS A STATE MANDATE. COLLEAGUES, A LOT OF INFORMATION, A LOT OF E-MAILS, I BELIEVE PARENTS CAN STEP UP. THEY CAN CHOOSE TO DO THIS. [LB18]

PRESIDENT FOLEY: TIME, SENATOR. [LB18]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT. AND THANK YOU, COLLEAGUES. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR BRASCH. SENATOR KINTNER, YOU'RE RECOGNIZED. SENATOR KINTNER, YOU'RE RECOGNIZED, YOUR THIRD OPPORTUNITY. [LB18]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. YOU KNOW, ANYTIME THAT I CAN STOP A BILL, A GOOD-HEARTED, WELL-MEANING BILL THAT WE'RE TALKING ABOUT NOW, AND AT THE SAME TIME SMACK AROUND ANOTHER GOOD-HEARTED, WELL-MEANING BILL, I CALL IT KILLING TWO BIRDS WITH ONE STONE. SO WE'RE GOING TO TALK JUST A LITTLE BIT ABOUT MEDICAID EXPANSION. I PASSED OUT A COLUMN TODAY FROM THE WORLD-HERALD. IT'S FROM MATT LITT AND DAVID RAY, BOTH OF AMERICANS FOR PROSPERITY. THEY'RE A FREE-MARKET ORGANIZATION, CONSERVATIVE, MAKE NO DOUBT ABOUT IT. WE'RE NOT GOING TO HIDE WHAT THEY ARE. THEY'RE CONSERVATIVE. THEY SUPPORT FREE-MARKET CAPITALISM. THEY SUPPORT LIMITED GOVERNMENT. AND THEY'RE JUST ADDRESSING THE ARKANSAS INSURANCE MEDICAID EXPANSION MODEL TRYING TO USE WHAT THE PROPONENTS WOULD CALL AS FREE MARKET, BUT IF YOU HAVE TO ABIDE BY A TOP-DOWN GOVERNMENT SYSTEM WHERE THEY SAY YOU HAVE TO DO THIS, YOU HAVE TO DO THAT, I DON'T CALL THAT FREE MARKET. I CALL THAT A COMMAND ECONOMY. BUT THERE'S A COUPLE OF THINGS IN HERE THAT I REALLY LIKED. AND IT SAID, THIS I'M QUOTING IT: THE PRIVATE OPTION WAS SOLD TO ARKANSAS TAXPAYERS AS A MARKET-BASED ALTERNATIVE TO MEDICAID EXPANSION, BUT IT'S HARD TO TELL THE DIFFERENCE. IT GIVES SUBSIDIES TO

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PEOPLE ELIGIBLE FOR MEDICAID EXPANSION UNDER OBAMACARE TO PURCHASE PRIVATE HEALTH INSURANCE POLICIES--POLICIES THAT ARE MORE EXPENSIVE THAN TRADITIONAL MEDICAID. THE FEDERAL GOVERNMENT PICKS UP THE TAB FOR THE ADDITIONAL COSTS THROUGH 2016, THEN DROPS IT DOWN TO 90 PERCENT IN 2021, WHICH WE ALREADY KNEW. WORSE YET, THE PRIVATE OPTION COMES WITH THE SAME TOP-DOWN FEDERAL OVERREACH AS TRADITIONAL OBAMACARE MEDICAID EXPANSION, LETTING WASHINGTON BUREAUCRATS DICTATE IMPORTANT ASPECTS OF STATE HEALTHCARE POLICY. AND AS WITH MEDICAID EXPANSION IN OTHER STATES, IT PUTS NEW STRAINS ON THE BUDGET AND HEALTHCARE SYSTEM ALREADY STRETCHED TO THE MAX. AND THAT'S A VERY, VERY IMPORTANT CONCEPT BECAUSE, NO MATTER WHAT ANYONE DOES, YOU CANNOT CREATE MORE DOCTORS IN OUR STATE. DOESN'T MATTER WHAT YOU DO, WE'RE STUCK FOR THE IMMEDIATE FUTURE WITH WHAT WE HAVE. SO, YOU KNOW, AS I LOOK AT THIS AND, YOU KNOW, THEY DROPPED THIS BIG BILL YESTERDAY AND, YOU KNOW, WE GOT TO LOOK AT IT, NOTHING THE BIG GOVERNMENT ADVOCATES EVER DO IS EASY TO READ OR EASY TO UNDERSTAND. YOU'VE GOT TO START READING THROUGH IT AND PICKING IT APART AND REFERENCING DIFFERENT THINGS. AND THEN ONCE YOU THINK YOU UNDERSTAND IT, YOU GOT TO GO GET A COUPLE OF LEGAL OPINIONS AND THEN YOU PROBABLY HAVE TO SEE AN ATTORNEY. AND THEN FOR GOOD MEASURE, YOU MIGHT SHOW IT TO A DOCTOR. I MEAN, THESE THINGS ARE NEVER EASY. THESE THINGS ARE BIG, COMPLICATED, HARD TO UNDERSTAND THINGS, AND THAT'S WHAT THE FEDERAL GOVERNMENT DOES. NO MATTER WHAT YOU WANT TO DO, THE FEDERAL GOVERNMENT WILL CONTROL IT. THEY WILL TELL YOU HOW TO DO IT EVERY TIME. AND YOU WILL DO IT THEIR WAY OR YOU WILL NOT DO IT. IF WE'RE GOING TO DO IT OUR WAY, WE'D DO HEALTH SAVINGS ACCOUNTS AND WE'D EMPOWER THE PATIENT AND NOT EMPOWER THE GOVERNMENT. AND I THINK THAT'S PROBABLY WHAT THEY TRIED TO DO. BUT THE OBAMA ADMINISTRATION WON'T LET YOU DO IT. THEY WANT TO BE IN CONTROL. THEY DO NOT WANT YOU TO CONTROL YOUR HEALTHCARE DECISIONS. AND AS MUCH AS YOU MIGHT WANT TO TRY TO PUT PRIVATE INSURANCE INTO IT, IT'S STILL CONTROLLED AND STILL RUN BY THE

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FEDERAL GOVERNMENT. AND LET'S MAKE NO MISTAKE ABOUT WHAT WE'RE TALKING ABOUT HERE. WHEN HAS THE FEDERAL GOVERNMENT EVER DONE ANYTHING WELL? ANYTHING WELL? THAT MEDICAID SURE WORKED OUT PRETTY WELL, DIDN'T IT? IT ONLY COST 31,000 PERCENT MORE THAN THEY SAID IT WAS GOING TO COST. SO, YOU KNOW, THAT'S WHAT WE'RE LOOKING AT HERE AND I APPRECIATE PEOPLE WEIGHING IN. I'M SURE SOME PEOPLE ON THE OTHER SIDE WILL WEIGH IN AND TALK ABOUT IT. I THINK WE'LL HAVE A RIGOROUS DEBATE. I THINK THE PEOPLE CAN SIT AT HOME AND MAKE SOME POPCORN AND GET THEIR FAVORITE BEVERAGE AND PROBABLY BE QUITE ENTERTAINED AS WE TACKLE SOME OF THESE TOUGH ISSUES OF THE REST OF THE SESSION. [LB18]

PRESIDENT FOLEY: TIME, SENATOR. [LB18]

SENATOR KINTNER: THANK YOU. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR KINTNER. MR. CLERK, ARE THERE ITEMS FOR THE RECORD? [LB18]

CLERK: THERE ARE, MR. PRESIDENT. THANK YOU. FIRST OF ALL AN ANNOUNCEMENT: PLANNING COMMITTEE WILL MEET AT 11:00 IN ROOM 2102. THAT'S OFFERED BY SENATOR COOK. I HAVE NEW BILLS: (READ LB1073-1101 BY TITLE FOR THE FIRST TIME.) THAT'S ALL THAT I HAD, MR. PRESIDENT, THANK YOU. (LEGISLATIVE JOURNAL PAGES 355-360.) [LB1073 LB1074 LB1075 LB1076 LB1077 LB1078 LB1079 LB1080 LB1081 LB1082 LB1083 LB1084 LB1085 LB1086 LB1087 LB1088 LB1089 LB1090 LB1091 LB1092 LB1093 LB1094 LB1095 LB1096 LB1097 LB1098 LB1099 LB1100 LB1101]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. CONTINUING DEBATE NOW ON AM143 TO LB18, SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB18]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I HOPE WE GET TO A VOTE AT LEAST ON AM143 TODAY BEFORE WE RUN OUT OF TIME. I UNDERSTAND THE

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PHILOSOPHY OF NOT HELPING A FILIBUSTER ON YOUR OWN BILL, BUT I DO WISH SENATOR KRIST WOULD SPEAK TO SOME OF THE QUESTIONS THAT SENATOR GROENE HAS RAISED WITHIN THE BILL AND WITH WHAT THE AMENDMENT WOULD DO. WE HEARD ONE TIME YESTERDAY THAT IT COULD POSSIBLY AFFECT ALL IMMUNIZATIONS, NOT JUST THIS ONE. I WISH WE'D HAVE A LITTLE MORE DISCUSSION ON THAT. I CONTINUE TO BE OPPOSED TO THIS, TO LB18. BUT WHEN THERE ARE OBJECTIONS POINTED OUT TO IT, AND THEY'RE NOT DENIED BY THE INTRODUCER, I AM LEFT TO BELIEVE THAT THE DEFICIENCIES MUST, IN FACT, EXIST. SO I HOPE BEFORE WE RUN OUT OF TIME, SENATOR KRIST WILL ADDRESS SOME OF THOSE ISSUES. AND I WOULD YIELD THE REMAINDER OF MY TIME TO SENATOR GROENE AT THIS POINT. [LB18]

PRESIDENT FOLEY: THANK YOU, SENATOR BLOOMFIELD. SENATOR GROENE, ABOUT 3:30. [LB18]

SENATOR GROENE: THANK YOU. I'D THANK SENATOR KRIST FOR PASSING OUT THE...WHEN THE REQUIRED, THIS HANDOUT HE GAVE. I LOST THE ONE HE GAVE ME YESTERDAY AND I CALLED MY AIDE TO BRING IT UP AND, BOOM, MAGICALLY IT SHOWED UP IN FRONT OF ME AGAIN. I'M GOING TO READ TO THE PEOPLE THE TWO EXEMPTIONS FOR MANDATED IMMUNIZATION: ONE, A STATEMENT SIGNED BY A PHYSICIAN, A PHYSICIAN ASSISTANT, OR AN ADVANCED-PRACTICE REGISTERED NURSE PRACTICING UNDER THE ACCORDANCE WITH HIS OR HER RESPECTIVE CERTIFICATION ACT--THAT'S WHERE SENATOR HILKEMANN STOPPED--STATING THAT IN THE HEALTHCARE PROVIDER'S OPINION THE IMMUNIZATION REQUIRED WOULD BE INJURIOUS TO THE HEALTH AND WELL-BEING OF THE STUDENT OR ANY MEMBER OF THE STUDENT'S FAMILY OR HOUSEHOLD; OR, NUMBER TWO, AN AFFIDAVIT SIGNED BY THE STUDENT OR, IF HE OR SHE IS A MINOR, BY A LEGALLY AUTHORIZED REPRESENTATIVE OF THE STUDENT, STATING THAT THE IMMUNIZATION CONFLICTS WITH THE TENETS OF THE PRACTICE OF A RECOGNIZED RELIGIOUS DENOMINATION OF WHICH A STUDENT IS AN INHERENT MEMBER OF THAT IMMUNIZATION (SIC), CONFLICTS WITH THE PERSON WHO HAS SINCERE

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FOLLOWED RELIGIOUS BELIEFS OF THE STUDENT. SENATOR HILKEMANN, WOULD YOU YIELD TO A QUESTION? [LB18]

PRESIDENT FOLEY: SENATOR HILKEMANN, WOULD YOU YIELD, PLEASE, TO A QUESTION? [LB18]

SENATOR HILKEMANN: YES. [LB18]

SENATOR GROENE: SENATOR HILKEMANN, YOU STATED ABOUT THERE'S EXEMPTIONS AND IT SAYS HERE, ONLY IF THE DOCTOR BELIEVES IT'S INJURIOUS TO THE HEALTH OF THE STUDENT OR IF THE STUDENT'S RELIGIOUS BELIEF SAYS YOU SHOULDN'T DO IT. WHAT DOES A STUDENT DO, OR A PARENT WHOSE PHILOSOPHY OR DID THE RESEARCH AND DOESN'T QUALIFY, GOES TO THE DOCTOR AND THE DOCTOR SAYS, YOU DON'T HAVE A HEALTH CONDITION, DOESN'T HAVE A RELIGIOUS BELIEF? DO YOU ADVISE THEM TO LIE? DO YOU ADVISE THEM TO LIE? BECAUSE YOU SAID THERE'S AN EXEMPTION FOR EVERYBODY, COULD YOU ANSWER THAT? [LB18]

SENATOR HILKEMANN: I ASKED THE QUESTION IF THERE WAS AN OPT OUT. OKAY. AND I WAS ADVISED THAT THERE WAS THE OPT-OUT PROVISION, AND I APPRECIATE HOW YOU'RE POINTING THIS OUT AT THIS POINT. SO, OKAY. [LB18]

SENATOR GROENE: THE POINT IS THIS. YOU CAN'T WALK INTO A DOCTOR'S OFFICE AND SAY, I DON'T WANT THIS IMMUNIZATION, WILL YOU SIGN THE PIECE OF PAPER FOR ME. YOU CAN'T DO THAT. YOU CAN'T WALK IN THERE AND SAY, I HAVE A TRUE BELIEF THAT I SHOULDN'T DO THIS... [LB18]

PRESIDENT FOLEY: ONE MINUTE. [LB18]

SENATOR GROENE: ...TO MY CHILDREN. YOU CAN'T DO THAT. YOU GOT TO LIE ABOUT YOUR RELIGIOUS BELIEFS OR YOU GOT TO HAVE A DOCTOR LIE FOR YOU. THAT'S NOT AN OPT OUT. THAT ISN'T AN OPT OUT. BUT THAT'S WHAT THE

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LAW SAYS. SO LET'S...I HAD A PARENT CALL ME AFTER THE DEBATE LAST TIME. AFTER LISTENING TO THE DEBATE, SHE LOOKED AT HER SEVENTH GRADE PHYSICAL THAT SHE WENT TO THE DOCTOR BILL. ON IT WAS A CHARGE FOR MENINGITIS VACCINATION. SHE WAS NOT ADVISED; SHE WAS NOT ASKED. THIS DOCTOR THOUGHT HE JUST NEEDED TO DO IT. I TOLD HER I WOULD SUE. SHE SAID, NO, I'M A WORKING-CLASS PERSON, I DON'T HAVE THE MONEY TO HIRE A LAWYER. WHEN YOU TELL ME THAT SCHOOL NURSES WANT IT, LOCAL COUNTIES, THOSE ARE GOVERNMENT EMPLOYEES. LIFE IS EASIER IF THEY DON'T HAVE TO EXPLAIN THIS TO PEOPLE, JUST MAKE THEM DO IT. IT'S EASIER ON THEIR JOB. THAT'S WHY THEY'RE FOR THIS. [LB18]

PRESIDENT FOLEY: TIME, SENATOR. SENATOR HUGHES, YOU'RE RECOGNIZED. [LB18]

SENATOR HUGHES: THANK YOU, MR. PRESIDENT. COLLEAGUES, THE DEBATE ON THIS BILL IS WINDING DOWN. I DON'T THINK WE'VE...I THINK WE'RE LESS THAN AN HOUR. A COUPLE OF POINTS THAT WERE BROUGHT UP...ONLY 15 STATES MANDATE THIS? I THINK THAT WAS THE QUESTION ASKED OF SENATOR KRIST AND I THINK THAT WAS HIS ANSWER. THAT'S PRETTY INTERESTING. SO THERE ARE 35 STATES THAT DON'T FEEL THAT THIS IS IMPORTANT ENOUGH TO MANDATE. SENATOR GROENE JUST TOUCHED ON THE POINT I WAS GOING TO MAKE ABOUT, YOU KNOW, ALL OF THE HEALTH ORGANIZATIONS THAT SENATOR HILKEMANN BROUGHT UP. OF COURSE THEY'RE GOING TO SUPPORT THIS. I MEAN, THAT'S THEIR JOB. THAT'S WHAT THEY DO. A LOT OF GOVERNMENT BUREAUCRATS, YOU KNOW, SUPPORT EXPANDED GOVERNMENT BECAUSE THAT'S THEIR JOB. YOU KNOW, ME AS A FARMER, I PROMOTE PEOPLE EATING FOOD BECAUSE THAT'S MY JOB. THAT'S WHAT I DO. SO I THINK EVERYBODY IS WELL INTENTIONED IN THEIR ADVOCACY FOR THEIR ISSUE. AND THAT IS CERTAINLY TO BE WEIGHED ON, YOU KNOW, DURING OUR DELIBERATION, BUT IT'S NOT THE DECIDING FACTOR. YOU KNOW, SCHOOL SUPERINTENDENTS CERTAINLY WANT MORE MONEY FOR THEIR SCHOOLS. THAT'S THEIR JOB. BUT WE CAN'T BE ALL THINGS TO ALL PEOPLE. THIS IS ABOUT THE PARENTS' DECISION-MAKING

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ABILITY FOR THEIR CHILDREN. THAT'S NOT THE GOVERNMENT'S JOB, IT'S NOT THE SCHOOL'S JOB, IT'S THE PARENT'S JOB. THANK YOU, MR. PRESIDENT. I'LL YIELD THE BALANCE OF MY TIME TO SENATOR GROENE. [LB18]

SENATOR COASH PRESIDING

SENATOR COASH: SENATOR GROENE, YOU'RE YIELDED 3:00. [LB18]

SENATOR GROENE: THANK YOU, SENATOR HUGHES. THANK YOU, SENATOR COASH. YEAH, SENATOR HILKEMANN ASKED SENATOR KRIST ABOUT STATES AROUND US. IOWA DOESN'T MANDATE IT. COLORADO DOESN'T MANDATE IT. KANSAS DOESN'T MANDATE IT. NORTH DAKOTA DOES. SOUTH DAKOTA DOES NOT. MISSOURI DOES NOT. THAT PRETTY MUCH COVERS EVERYBODY AROUND US. HERE'S WHO WE ARE GOING TO BE IN WITH, POLITICALLY MINDED, THAT WE MANDATE STUFF: CONNECTICUT, DISTRICT OF COLUMBIA, MARYLAND, MASSACHUSETTS, MICHIGAN, NEW JERSEY, NEW YORK, PENNSYLVANIA, RHODE ISLAND, WASHINGTON. CALIFORNIA DOESN'T EVEN MANDATE IT. WHAT IS THE POLITICAL PHILOSOPHY OF THIS STATE? HAVE WE REACHED A POINT THAT WE ARE A HERD? WE'RE NO LONGER INDIVIDUALS? IS THAT OUR POLITICAL PHILOSOPHY? WE MANDATE. WE TELL THEM WHAT TO DO. WE ALLOW OUR PUBLIC EMPLOYEES TO MAKE DECISIONS FOR US: SCHOOL NURSE ASSOCIATION, NEBRASKA STATE EDUCATION ASSOCIATION, FRIENDS OF PUBLIC HEALTH, NEBRASKA SCHOOL OF NURSES. CREIGHTON UNIVERSITY, THAT'S OPERATION IMMUNIZATION. THEY MANDATE FOR THEIR STUDENTS IF YOU'RE GOING LIVE IN THE DORM. I THINK THEY MANDATE IF YOU JUST GO THERE. THOSE ARE GOVERNMENT EMPLOYEES. THEIR JOB IS TO TELL AND INFORM PARENTS AND CHILDREN AND THEN GIVE THEM THE CHOICE. THAT'S WHAT ONES THAT WORK HARD AT THEIR JOB DO. IT'S EASIER TO MANDATE, JUST WALK IN, SLAP SOMETHING IN THEIR ARM, SEND THEM OUT THE DOOR, GO TO LUNCH. THEY NEED TO DO THEIR JOB. [LB18]

SENATOR COASH: ONE MINUTE. [LB18]

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SENATOR GROENE: THEY NEED DO THEIR JOB. THEY NEED TO EDUCATE THE POPULACE. THEY NEED TO BE PUBLIC SERVANTS, NOT PUBLIC EMPLOYEES DICTATING TO THEIR BOSSES, THE CITIZENS, WHAT THEY SHOULD DO. ONE OF THE THINGS THAT DISTURBED ME MORE THAN ANYTHING DOWN HERE IS HOW MUCH LOBBYING IS DONE BY OUR EMPLOYEES AT THE LOCAL AND STATE LEVEL. WHERE I COME FROM, THOSE ARE EMPLOYEES. WE TELL THEM WHAT TO DO. THANK YOU. [LB18]

SENATOR COASH: THANK YOU, SENATOR HUGHES AND SENATOR GROENE.
SENATOR KRIST, YOU'RE RECOGNIZED. [LB18]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. GOOD MORNING, NEBRASKA. THE CHALLENGE THAT WAS ISSUED BY SENATOR BLOOMFIELD, WHY DON'T I RESPOND TO THE QUESTIONS? YOU KNOW, I'M NOT ASKING YOU TO GO BACK AND READ EIGHT HOURS' WORTH OF TRANSCRIPT. BUT WE'VE HAD EIGHT HOURS OF DEBATE, FILIBUSTER ON THIS BILL LAST YEAR, AND EVERY ONE OF THOSE QUESTIONS WERE ANSWERED. AND, AGAIN, WE COME DOWN TO A QUESTION OF PHILOSOPHY VERSUS SCIENCE. I'M NOT GOING TO BEGRUDGE ANYONE WHO DOES NOT VOTE FOR THIS BILL. DON'T VOTE FOR IT. DON'T VOTE FOR CLOTURE. BY THE WAY, IT'S 11:44 THIS MORNING FOR CLOTURE, 11:44. DON'T VOTE FOR CLOTURE, DON'T VOTE FOR THE BILL, VOTE FOR CLOTURE, DON'T VOTE FOR THE BILL, WHATEVER YOU WANT TO DO. THIS IS SCIENCE VERSUS OPINION AND PHILOSOPHY. SENATOR EBKE HAS EVERY RIGHT TO STAND UP AND SAY THIS IS A CONSTITUTIONAL ISSUE FOR HER, YET, SHE'S TELLING US THAT HER FAMILY HAS ALL BEEN IMMUNIZED AND THEY HAVE TAKEN PRECAUTIONS AND THAT IS A PARENTAL CHOICE. SENATOR GROENE BRINGS UP OVER AND OVER AGAIN, AND THAT'S HIS JOB IN THE FILIBUSTER TO MAKE SURE HE TAKES UP TIME, THAT IT'S A PARENTAL CHOICE AND THAT WE'RE INTERFERING WITH THE PARENTAL CHOICE. ONCE AGAIN, THE DEMEANOR AND THE MOOD OF THIS DEBATE NEEDS TO STAY WHERE IT IS, SUBJECT MATTER OF THE BILL. AND ALL OF THOSE SUBJECT MATTERS WERE DEALT WITH, WERE ANSWERED LAST YEAR, AND I'D BE HAPPY TO TALK TO ANY OF YOU INDIVIDUALLY, BUT I'M NOT GOING

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TO HELP FILIBUSTER MY BILL. THERE ARE SOME ITEMS OF INTEREST FOR YOU THOUGH. WHEN WE TALK ABOUT 10 STATES IN THE UNITED STATES, 10 OUT OF 50--TO SENATOR HUGHES'S QUESTION AND POINT--THERE ARE ONLY A HANDFUL OF STATES THAT DON'T MANDATE...THAT STATE UNIVERSITIES DO NOT MANDATE THIS ONCE THEY GET TO THE UNIVERSITY. AND THE REASON THAT THEY DO IS THAT THEY HAVE...WE HAVE HAD THE ISSUES FOR PEOPLE WHO WERE NOT IMMUNIZED EARLY ENOUGH IN THEIR LIFE TO BUILD IMMUNITIES, TO BUILD PROTECTION, AND IT'S CALLED HERD IMMUNITY. AND SENATOR KUEHN CAN GET BACK UP AND TALK ABOUT IT AGAIN AND AGAIN AND AGAIN, AND IT'S NOT GOING TO REGISTER WITH SOME AND IT WILL REGISTER WITH OTHERS. THAT'S THE SCIENCE. IF YOU ARE IMMUNIZED EARLY IN LIFE, IT PROTECTS YOU LONG TERM AND THE TERM OF HERD IMMUNITY APPLIES. SENATOR GROENE'S AMENDMENT--LET ME TALK TO THAT BECAUSE SENATOR BLOOMFIELD BROUGHT IT UP VERY CLEARLY--HE WANTS TO CHANGE A PROCESS THAT'S WORKED IN THE STATE OF NEBRASKA FOR MANY, MANY YEARS. THAT PROCESS IS IMMUNIZATIONS SHALL...AND THIS IS 79-221. I HANDED IT OUT FOR YOU. IMMUNIZATION SHALL NOT BE REQUIRED FOR A STUDENT'S ENROLLMENT IN ANY SCHOOL IN THIS STATE IF HE OR SHE SUBMITS TO ADMITTING OFFICIAL EITHER OF THE FOLLOWING--EITHER, NOT AND, EITHER--(1) A STATEMENT SIGNED BY A PHYSICIAN, A PHYSICIAN'S ASSISTANT, OR AN ADVANCED PRACTICE REGISTERED NURSE PRACTICING UNDER AND IN ACCORDANCE WITH HIS OR HER RESPECTIVE CERTIFICATION ACT STATING THAT, IN THE HEALTHCARE PROVIDER'S OPINION, THE IMMUNIZATIONS REQUIRED WOULD BE INJURIOUS TO THE HEALTH AND WELL-BEING OF THE STUDENT OR ANY MEMBER OF THE STUDENT'S FAMILY OR HOUSEHOLD OR...AND THE "OR" PROVISION IS THE ONE THAT EVERYBODY GETS HUNG UP ON BECAUSE YOU HAVE TO HAVE A RELIGIOUS CONVICTION IN ORDER TO PULL IT UP. BUT THE FIRST ONE, I WILL REMIND YOU, SENATOR GROENE AND I HAD MANY CONVERSATIONS ABOUT THE SCIENCE AND ABOUT THE DOCTORS AND NURSES AND NURSE PRACTITIONERS AND HEALTHCARE COUNTY OFFICIALS WHO SAID THIS IS THE RIGHT THING TO DO. AND HE BROUGHT UP AN INDIVIDUAL, AND I

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DON'T THINK IT'S WORTHY NOR IS IT APPROPRIATE TO THE DISCUSSION FOR ME TO MENTION THE NAME, BUT A WELL-KNOWN DOCTOR IN THE OMAHA... [LB18]

SENATOR COASH: ONE MINUTE. [LB18]

SENATOR KRIST: ...AREA WHO IS A PEDIATRICIAN WHO SAID, THIS IS NOT THE WAY TO GO AND I WOULD ADVISE MY PATIENTS NOT TO. SO MY ANSWER TO SENATOR GROENE IN HIS CONFLICT ON THIS ISSUE IS, FIND ANOTHER DOCTOR BECAUSE THERE'S PLENTY OF THEM OUT THERE--NOT PLENTY OF THEM--THERE ARE A HANDFUL OUT THERE THAT DON'T AGREE WITH THIS CONCEPT. PREDOMINANTLY, THE GREATER PERCENTAGE OF HEALTHCARE OFFICIALS, HEALTHCARE PROFESSIONALS HAVE ADVISED ME ON THE ISSUE AND THIS IS THE WAY I'M GOING. AGAIN, I ASK FOR YOUR VOTE FOR CLOTURE AND I ASK FOR YOUR VOTE AT 11:44 AND I ASK FOR YOUR SUPPORT, BUT IT IS PHILOSOPHY AGAINST MEDICAL SCIENCE. THANK YOU, MR. PRESIDENT. [LB18]

SENATOR COASH: THANK YOU, SENATOR KRIST. SENATOR BRASCH, YOU ARE RECOGNIZED. [LB18]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. I BELIEVE THIS IS MY THIRD TIME TO SPEAK, SO I WANT TO CHOOSE MY CONVERSATION VERY CAREFULLY. WE JUST HEARD SENATOR KRIST WHO IS PASSIONATE, HAS MADE THIS HIS PRIORITY. HOWEVER, I ALSO HEAR THE VOICES OF PARENTS WHO ARE WISE, AND THE CAREGIVERS, THE GUARDIANS, THE PROTECTORS OF THEIR CHILDREN WHO ARE MAKING THESE CHOICES. THE LAST TIME I WAS ON THE FLOOR, I ASKED SENATOR KOLOWSKI, A SCHOOL ADMINISTRATOR, TO STAND AND SPEAK ON THIS AND ASKED HIM THE QUESTION, IS THIS A PROBLEM AT HIS SPECIFIC DISTRICT. HE COULD NOT SPEAK DISTRICT WIDE, BUT...AND HE COULD STAND AND SPEAK BUT I BELIEVE I HEARD HIM SAY IT WAS NOT. YOU KNOW, WE GET CONTACTED BY SCHOOLS, ESPECIALLY, YOU KNOW, WHEN WE'RE AT THE REVENUE COMMITTEE AND HEARINGS. SCHOOLS HAVE A TOP-TEN LIST OF THINGS THAT THEY WANT, THEY

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NEED, THAT IS NOT HAPPENING, THAT COULD BE HAPPENING. THE SCHOOLS ARE NOT CONTACTING SAYING THERE'S A PROBLEM WITH PARENTS NOT BEING COMPLIANT WITH VACCINATIONS FOR THEIR STUDENTS. I ALSO BELIEVE THAT MANY OF US HAVE A GOOD RELATIONSHIP, A GOOD COMMUNICATION WITH OUR DOCS. WEST POINT, NEBRASKA, BLAIR, NEBRASKA, OAKLAND, YOU NAME IT, THE HOSPITALS, THE DOCS IN OUR AREAS HAVE NOT REACHED OUT TO ME SAYING THERE IS A PROBLEM WITH OUR PARENTS NOT VACCINATING THEIR CHILDREN. THERE'S NOT A PROBLEM. THERE'S A CHOICE RIGHT NOW. THERE IS A CHOICE ON THIS. THERE ARE MANDATED VACCINATIONS. THIS IS ONE OF THOSE RECOMMENDED. FROM WHO WE HEARD, MOST OF THE SCHOOLS OUT EAST ARE VACCINATING FOR THIS. I DON'T SEE OUR SURROUNDING STATES MAKING THIS MANDATORY AT ALL. OUR NEIGHBORS ARE NOT FINDING THAT THERE IS A PROBLEM. ARE WE MAKING A PROBLEM, OR ARE WE SPENDING OVER \$250,000 TO HELP GOVERNMENT GROW, TO HELP PUT MORE MANDATES ON OUR PARENTS AND THOSE STUDENTS? YOU KNOW, AS A HEALTH PROFESSIONAL, I COULD SEE THAT YOU WOULD SAY, YOU KNOW, ANYTHING IN WELLNESS IS A GOOD THING. IS IT A WELLNESS PRACTICE? I BELIEVE THAT AS INDIVIDUALS WE MAKE THOSE DECISIONS EVERY DAY ON WELLNESS PRACTICES. AND THIS IS ONE OF THOSE THAT I BELIEVE IS A RECOMMENDATION THAT WE CAN GET A LOT OF INFORMATION ON. AS STATE SENATORS, WE HAVE RECEIVED MANY THINGS TO READ ON THIS AND HAVE FOUND ONLY A COUPLE CASES AND THEY'RE NOT WITHIN OUR YOUNGER POPULATION BUT WITHIN THE ONE IN COLLEGE, COLLEGE AGE, AND ONE IN THEIR 50s. SO, COLLEAGUES, ONCE AGAIN, LIKE LAST SESSION, I, FOR ONE, DO NOT BELIEVE THIS IS A REASONABLE MANDATE IN LB18. IT IS CREATING MORE EXPENSE, MORE GOVERNMENT. AND THE INFORMATION THAT MY CONSTITUENTS SAY IS, LOOK AT HOW YOU CAN SAVE US MONEY, WHETHER IT'S ON PROPERTY TAXES, OTHER TAXES,... [LB18]

SENATOR COASH: ONE MINUTE. [LB18]

SENATOR BRASCH: ...TOO MUCH STATE AGENCY GROWTH. OUR POPULATION HAS GROWN LESS THAN 1 PERCENT, HOWEVER, GOVERNMENT COST HAS

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QUADRUPLED. LET'S BE PRUDENT AND WISE AS WE MOVE FORWARD. THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. [LB18]

SENATOR COASH: THANK YOU, SENATOR BRASCH. SENATOR HILKEMANN, YOU'RE RECOGNIZED. [LB18]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. I WAS UP HERE EARLIER AND I HAD ANOTHER QUESTION FOR SENATOR KRIST AND DIDN'T GET TO IT. SO I'M ASKING IF SENATOR KRIST WOULD BE AVAILABLE FOR ANOTHER QUESTION. [LB18]

SENATOR COASH: SENATOR KRIST, WILL YOU YIELD? [LB18]

SENATOR KRIST: ABSOLUTELY. [LB18]

SENATOR HILKEMANN: THANK YOU, SENATOR KRIST. LAST WEEK WE WERE TALKING ABOUT ORGAN DONATIONS. WE FOUND OUT THAT THE PURPOSE OF CHANGING THAT, WE HOPED THAT MAYBE WE WOULD GET 3 OR 4 PERCENT MORE OR MAYBE AS MANY AS 7 PERCENT MORE PEOPLE TO PARTICIPATE IN THE ORGAN DONATION PROGRAM. HOW MANY PEOPLE...WHAT'S THE PERCENTAGE OF PEOPLE WHO VOLUNTARILY GET THIS VACCINATION AT THE PRESENT TIME? DO WE HAVE THAT DATA? [LB18]

SENATOR KRIST: I ASKED THE QUESTION AND I HAVEN'T RECEIVED AN ANSWER BECAUSE YOU PREPARED ME OFF OF THE MIKE THAT THIS WOULD BE COMING. I THINK THE BEST I'M GOING TO BE ABLE TO DO IS AN INDIVIDUAL COUNTY BY COUNTY, AND I WILL HOPEFULLY HAVE MY COUNTY, DOUGLAS COUNTY, AND ANOTHER NUMBER FOR YOU. I CAN'T EVEN VENTURE TO GUESS, BUT I THINK IF YOU JUST TALK TO THE PEOPLE IN THIS CHAMBER, I BELIEVE THERE'S PROBABLY 80 PERCENT OF THE PARENTS THAT I'VE TALKED TO WHO GO FORWARD AND GET THIS VACCINATION, SO. BUT I'M NOT GOING TO HAZARD A GUESS WHAT THAT REAL NUMBER MIGHT BE. [LB18]

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SENATOR HILKEMANN: THANK YOU, SENATOR. THAT'S EXACTLY WHERE I WOULD HAVE GUESSED THAT WE WOULD BE IN THE HIGH...THE 80s TO THE HIGHER 80s PERCENT AT THE PRESENT TIME. IF YOU WERE TO GET THAT NUMBER, I WOULD APPRECIATE HEARING THAT. AGAIN, THANK YOU. [LB18]

SENATOR KRIST: WILL DO. [LB18]

SENATOR HILKEMANN: AND I WOULD YIELD ANY TIME TO SENATOR KRIST IF HE WOULD LIKE IT. [LB18]

SENATOR COASH: SENATOR... [LB18]

SENATOR KRIST: THANK YOU, SENATOR HILKEMANN. I WILL TAKE IT, AND JUST TO CLARIFY A FEW THINGS. AS I SAID ON THE MIKE A FEW MINUTES AGO, IT'S VERY IMPORTANT THAT WE KEEP THIS DISCUSSION IN TERMS OF PHILOSOPHY VERSUS THE SCIENCE. AND AGAIN, YOU'RE GOING TO VOTE THE WAY YOUR CONSTITUENTS WANT YOU TO VOTE OR THE WAY YOU THINK YOU NEED TO VOTE. SO I'M NOT TRYING TO INFLUENCE YOUR PHILOSOPHICAL DIFFERENCES ON THIS PARTICULAR ISSUE. I WILL SAY THAT SINCE MY LAST TIME ON THE MIKE, I WAS CONTACTED BY A PHYSICIAN AND I WAS TOLD THAT I WAS ABSOLUTELY RIGHT, THAT HE WOULD SIGN A LETTER IF HE THOUGHT IN ANY WAY A VACCINATION WAS NOT GOING TO BE APPROPRIATE OR THE RIGHT THING TO DO FOR HIS PATIENT. SO WHEN YOU READ THOSE EXEMPTIONS AND THE OPT-OUT PART OF IT, IF WE'RE TALKING ABOUT AM143 AND ANY OF THE OTHER SUBJECT MATTER TO COME UP, I BELIEVE THE OPT-OUT PROCESS THAT'S CURRENTLY IN PLACE IN THE STATE OF NEBRASKA IS EXTREMELY APPROPRIATE, IT'S MEASURED IN ITS RESPONSE, AND IT WILL HANDLE MOST, IF NOT ALL, OF THE OBJECTIONS. AND TO REMIND YOU, AGAIN GOING BACK TO LAST YEAR, THE REASON I BRACKETED THIS BILL WAS THAT WE WERE DILUTING THAT PROCESS AND THAT OPT-OUT PROCESS, AND THE PHYSICIANS IN THE HEALTHCARE INDUSTRY DID NOT WANT THAT TO HAPPEN. SO I BELIEVE NOW I'VE RESPONDED BOTH TO SENATOR BLOOMFIELD AND SENATOR GROENE'S CONCERNS AND ALSO

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SENATOR HILKEMANN. AND IF I DON'T GET BACK ON THE MIKE TO GET THAT INFORMATION OUT TO YOU, I'LL GET A HANDOUT TO ALL OF YOU TO LET YOU KNOW. THANK YOU. THANK YOU, SENATOR HILKEMANN. [LB18]

SENATOR COASH: THANK YOU, SENATOR KRIST. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB18]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I'M RISING TO GIVE A COMMERCIAL. THERE'S A SONG, WHICH I'M NOT GOING TO SING, IT WAS CALLED "KING OF THE ROAD." AND HE HAD A LINE THAT SAID, I'M A MAN OF MEANS BY NO MEANS. TODAY IS THE LAST DAY THAT CONTRIBUTIONS CAN BE MADE THAT I WILL MATCH FOR ST. JUDE'S RESEARCH HOSPITAL. I DON'T HAVE MONEY TO THROW AWAY, I DON'T HAVE MONEY TO BURN, BUT I DON'T KNOW OF ANY BETTER CAUSE THAN THAT HOSPITAL. NOBODY HAS TO PAY FOR WHAT IS GIVEN. THEY DO RESEARCH. THEY OFFER WHAT I THINK PROBABLY CANNOT BE OBTAINED ANYWHERE ELSE ON A CONSISTENT BASIS AT THE LEVEL WHERE IT'S PROVIDED. SO IF YOU WANT TO SEND ME CLOSER TO THE POORHOUSE, YOU'VE GOT TO DO IT TODAY. AND IN ORDER THAT PEOPLE WON'T THINK THAT ANY MONEY THAT IS DONATED IS STOPPING WITH ME, A PERSON WHO KNOWS HOW TO MAKE SPREADSHEETS, WHATEVER THAT IS--WHEN SENATOR TYSON LARSON HAD HIS BILL, THE ONLY THING I KNEW ABOUT A SPREADSHEET WAS WHEN YOU'RE BETTING ON FOOTBALL GAMES AND THEY TELL YOU WHAT THE ODDS ARE AND LIST ALL THE TEAMS, BUT OBVIOUSLY THIS ISN'T THAT--EVERYBODY WHO HAS GIVEN WILL HAVE HIS OR HER NAME ON THAT SPREADSHEET. YOU'LL KNOW THAT THIS MONEY DID NOT GO INTO MY POCKET. EVEN WHEN I ACCEPTED IT ON THE FLOOR, IT NEVER FOUND ITS WAY INTO MY POCKET. IT WAS IN MY FOLDER AND I'M NOT GOING TO TELL YOU WHERE IT WENT FROM THERE, BUT EVERY CENT WILL BE ACCOUNTED FOR. I SAID THAT I WOULD MATCH EVERY \$100 DONATION FROM ANY SENATOR. THERE ARE 49 SENATORS, SO THAT MEANT \$4,900 I WOULD GIVE, PROBABLY MAKE IT ROUND OFF EVEN, BUT THIS IS THE LAST DAY BECAUSE IT HAS TO END AT SOME POINT. AT THE END OF THE DAY, THEN THAT

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WILL BE IT FOR WHAT I SAID I WOULD DO. BUT THAT DOESN'T MEAN THAT YOU HAVE TO STOP CONTRIBUTING. BUT AFTER TODAY, THEN I WON'T BE MATCHING BECAUSE, IF THAT WOULD GO ON, SOMEBODY MIGHT WIN THE LOTTERY AND, INDEED, PUT ME IN THE POORHOUSE. BUT THAT'S ALL THAT I WANTED TO SAY. I HOPE I DIDN'T DISTRACT FROM THE DEBATE THAT IS GOING ON. BUT THIS IS ONE THING, AND I'LL PROBABLY NEVER DO ANYTHING LIKE THIS AGAIN, BUT I THINK THE CAUSE IS WORTHY AND THAT'S WHY I'VE SPOKEN. THANK YOU, MR. PRESIDENT. [LB18]

SENATOR COASH: THANK YOU, SENATOR CHAMBERS. SENATOR KRIST FOR AN ANNOUNCEMENT. [LB18]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. WHETHER YOU'RE IN THE CHAMBER OR NOT, PLEASE PAY ATTENTION TO THIS. THE REVISOR'S OFFICE HAS ASKED ME TO REMIND YOU TODAY IS THE LAST DAY FOR BILL SUBMISSION, AND IF YOU...SHE BELIEVES--JOANNE PEPPERL BELIEVES--THAT ALL THE THREE PARTS ARE OUT. IF YOU HAVE NOT DROPPED A BILL IN BY NOON TODAY WHEN WE RECESS, YOU'RE GOING TO BE OUT OF LUCK, SO JUST A REMINDER. THANK YOU.

SENATOR COASH: THANK YOU, SENATOR KRIST. SENATOR EBKE, YOU'RE RECOGNIZED. [LB18]

SENATOR EBKE: THANK YOU, MR. PRESIDENT. AND, SENATOR CHAMBERS, I WOULD NOTE THAT I DID BRING MY CHECKBOOK TODAY AND I'LL BE DELIVERING A CHECK TO YOU HERE SHORTLY. LET ME JUST RETURN US ONE MORE TIME TO THE PHILOSOPHY OF THINGS. AND I DO NOT IN ANY WAY DEMEAN SENATOR KRIST'S INTENTIONS WITH THIS BILL AND I CAN SYMPATHIZE WITH THE PURPOSE OF THE BILL. AGAIN, IT COMES DOWN TO WHAT IS IT APPROPRIATE FOR US TO TELL OTHER PEOPLE THAT THEY MUST DO. AND ABSENT A TRUE PUBLIC HEALTH NEED, I JUST HAVE A PROBLEM WITH THAT. I DO NOT OBJECT TO THE VACCINES AT ALL. AS I'VE SAID, AND AS SENATOR KRIST

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HAS NOTED, MY CHILDREN HAVE RECEIVED THE VACCINES. BUT I STILL THINK THAT IT'S A RESPONSIBILITY OF THE PARENTS. IT'S SOMETHING THAT...A DECISION THAT PARENTS OUGHT TO MAKE AND THAT WE OUGHT NOT FORCE UPON OTHERS. SENATOR KINTNER HAD SUGGESTED TO ME THAT HE MIGHT LIKE A FEW MINUTES, SO I WOULD YIELD TO HIM THE REST OF MY TIME IF HE IS SO INCLINED. [LB18]

SENATOR COASH: SENATOR KINTNER, YOU'VE BEEN YIELDED 3:50. [LB18]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. YOU ALL JUST SHOULD HAVE RECEIVED AN E-MAIL. I JUST GOT IT FROM A DR. EDWARD FOGARTY (PHONETIC), OBVIOUSLY, M.D., AND THE SUBJECT LINE ON THAT E-MAIL IS "VACCINOMICS." AND HE SUGGESTS A FEW THINGS ON THIS BILL. BUT I WANT TO READ THIS. HE SAYS: IT IS THE ROOT OF MEDICAL ETHICS TO PROVE THAT AN INTERVENTION HAS THE DESIRED RESULTS. "VACCINOMICS" IS HEADING THIS WAY, BUT THE VACCINE COMPANIES DON'T WANT THE PEOPLE OF OUR STATES UNDERSTANDING THAT AS IT WILL HURT THEIR MARKETS. "VACCINOMICS" IS WEIGHING IF THIS THING IS WORTH IT OR NOT, THIS VACCINE. RATHER THAN HAVING OUR STATE LAWS BUILDING MARKET FOR VACCINE COMPANIES, LET'S HAVE IT PUT THE VACCINE SCIENCE TO THE TEST BY REQUIRING THE PHYSICIANS OF THESE HIGH SCHOOL STUDENTS PROVE THROUGH ANTIBODY TESTING THAT THEY ARE INDEED IMMUNE TO THE STRAINS THAT WE'RE TALKING ABOUT FOR MENINGITIS. SO HE SAYS, YOU COULD AMEND THE BILL TO PROVE THAT THE STUDENT IS IMMUNE BEFORE REQUIRING THIS. NOW I WOULD SAY LET'S JUST DON'T DO IT. LET'S LEAVE IT UP TO THE PARENTS TO DO THIS. BUT THE QUESTIONS HE MAKES ARE VERY, VERY GOOD AND THAT THERE IS, I THINK, DRUG COMPANIES THAT STAND TO PROFIT FROM THIS. AND I DON'T BLAME COMPANIES FOR WANTING TO MAKE MONEY. I AM NOT BERNIE SANDERS. I DON'T THINK MONEY IS BAD. I DON'T THINK PROFIT IS BAD. I DON'T THINK FREE MARKETS ARE BAD. BUT YOU KNOW WHAT? GOVERNMENT FORCING A MARKET ISN'T FREE MARKETS. IT'S A LITTLE CLOSER TO CRONY CAPITALISM, AND I REALLY THINK THAT THEY HAVE SOMETHING TO GAIN BY

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THIS. THEY SUPPORT IT TO MAKE MORE MONEY AND I DON'T BLAME THEM FOR THAT. BUT IT'S OUR JOB TO SAY, NO, YOU CREATE YOUR OWN MARKETS AND YOU SELL YOUR DRUGS WITHOUT HAVING THE GOVERNMENT CREATE A MARKET FOR YOU SO YOU CAN MAKE MONEY. AND I THINK THAT'S A VERY IMPORTANT CONCEPT... [LB18]

SENATOR COASH: ONE MINUTE. [LB18]

SENATOR KINTNER: ...THAT SENATOR GROENE HAS HIT A COUPLE TIMES. AND I JUST WANTED TO REITERATE THAT FACT, THAT THERE'S MORE AT PLAY HERE THAN JUST, OH, WELL, WE HAVE A PHILOSOPHY THAT SAYS IT'S WRONG. NO, THERE'S A LOT OF DIFFERENT LEVELS. IT'S NOT NEEDED. WE THINK IT'S CREATING A FALSE MARKET FOR A DRUG COMPANY. AND THERE'S A PHILOSOPHICAL PROBLEM WITH HAVING GOVERNMENT INTERVENE UNLESS WE ABSOLUTELY KNOW FOR SURE THAT THIS IS NEEDED. AND WITH SO FEW CASES OF THIS, I DON'T THINK YOU CAN MAKE THE CASE THAT WE NEED A GOVERNMENT MANDATE TO FORCE THIS ON THE CHILDREN OF OUR STATE. AND THANK YOU, MR. PRESIDENT. [LB18]

SENATOR COASH: THANK YOU, SENATOR KINTNER. SENATOR GARRETT, YOU'RE RECOGNIZED. [LB18]

SENATOR GARRETT: THANK YOU, MR. PRESIDENT. I WOULD LIKE TO YIELD MY TIME TO SENATOR KINTNER. [LB18]

SENATOR COASH: SENATOR KINTNER, YOU'VE BEEN YIELDED 5:00. [LB18]

SENATOR KINTNER: YEAH, I WAS JUST HERE. YOU KNOW, I THINK I HAVE A FEW QUESTIONS. WOULD SENATOR GROENE YIELD TO A QUESTION? [LB18]

SENATOR COASH: SENATOR GROENE, WILL YOU YIELD? [LB18]

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SENATOR GROENE: YES. [LB18]

SENATOR KINTNER: SENATOR GROENE, I WAS SITTING IN THAT HEARING WHEN SENATOR KRIST TESTIFIED ON LB18, AND I THINK THERE WAS A GIRL FROM KANSAS AS I REMEMBER. YOU WERE ON THE EDUCATION COMMITTEE. I WATCHED THE ENTIRE HEARING AND I THOUGHT TO MYSELF, WELL, GEE, THAT'S A PRETTY REASONABLE BILL. I DIDN'T SEE ANYTHING WRONG WITH IT. I THOUGHT SENATOR KRIST MADE A PERFECTLY GOOD CASE, BUT OBVIOUSLY YOU SAW SOMETHING THAT WAS DIFFERENT THAT YOU SAW SOMETHING, YOU SMELLED A RAT, AND YOU CAME IN A COUPLE OF DAYS LATER, OR WHENEVER IT WAS, ON THE FLOOR AND YOU SAID, HEY, I'VE GOT SOME PROBLEMS. YOU STARTED TO MAKE A PRETTY LOGICAL CASE AS TO WHAT THE PROBLEMS WERE. WHAT TIPPED YOU OFF? WHAT DID YOU SEE THAT I DIDN'T SEE AT THAT HEARING THAT MADE YOU DIG DOWN A COUPLE OTHER LAYERS? [LB18]

SENATOR GROENE: THANK YOU, SENATOR KINTNER. WHAT I SEEN WAS THIS. THE VACCINATION HAS A SHORT LIFE SPAN. THAT IS WHY THEY RECOMMEND THAT YOU GIVE IT AT CERTAIN AGES, FIVE YEARS APART. WHAT WAS MISSING FROM THAT TESTIMONY WAS, WE WERE TOLD THAT THIS LADY, SHE WASN'T YOUNG, WAS A GRADUATE OF CREIGHTON UNIVERSITY AND SHE GOT MENINGITIS. WHAT WAS MISSING WAS THIS. SHE HAD BEEN OUT OF THE UNIVERSITY OF CREIGHTON FOR 10 OR 15 YEARS. SHE WAS A YOUNG MOTHER. IT WAS SOLD TO US THAT THIS HAPPENED WHILE SHE WAS A STUDENT AT CREIGHTON. HERE'S THE FACT: SHE WOULD HAVE BEEN VACCINATED AT THE AGE OF 16, IT WOULDN'T HAVE HELPED HER. IT WOULD NOT HAVE HELPED HER AT THE AGE OF 32. THAT IS A FACT. AND ALSO, IF YOU'VE READ THE PAPER IN AN ARTICLE IN ONE OF THE PAPERS, A REPORTER FELL FOR THAT HOOK, LINE, AND SINKER, TOO, AND SHOWED THIS AND WITHOUT THE FACTS, THAT THAT VACCINATION WOULDN'T HAVE HELPED AT THE AGE OF 16. IT WOULDN'T HAVE HELPED, WHICH CREIGHTON DOES IT RIGHT, THAT YOU HAVE TO BE VACCINATED BEFORE YOU ENTER THEIR DORMS, EVEN AT THE AGE OF 18. IT WOULD GET YOU THROUGH COLLEGE, BUT IT WOULDN'T HELP YOU AT THE AGE OF 32. THANK YOU, SENATOR KINTNER. [LB18]

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SENATOR KINTNER: WELL, I'M NOT DONE. DON'T GO ANYWHERE. NOW LET ME GO BACK TO, YES, WELL WHAT TIPPED YOU OFF? YOU SMELLED A RAT WHEN NO ONE ELSE DID. YOU TOLD ME WHAT IT WAS, BUT WHAT MADE YOU WANT TO LIFT UP THE COVERS AND LOOK UNDER? WHAT TIPPED YOU OFF TO THAT? [LB18]

SENATOR GROENE: IT'S JUST THE WAY I OPERATE. I LIKE FACTS. YOU KNOW, I THINK THE LAWYERS IN THE ROOM WOULD TELL YOU THAT THERE'S A TENET THEY HAVE: KNOW THE ANSWER TO THE QUESTION BEFORE YOU ASK IT. SO I WAS TIPPED...I'M ASSUMING MAYBE SOMEBODY TIPPED ME OFF WITH SOME CDC INFORMATION, SO I LOOKED INTO IT. I'VE READ MORE ABOUT MENINGITIS THAN I CARE TO, BUT I DON'T...I CAN'T TRACK THE PATH. IT JUST HAPPENS, SENATOR KINTNER, THAT I LIKE FACTS. I MAKE ALL DECISIONS ON FACTS. [LB18]

SENATOR KINTNER: WELL, SENATOR GROENE, WHERE DOES YOUR PHILOSOPHY COME IN ON THIS? BECAUSE OBVIOUSLY, SOME PHILOSOPHY ABOUT GOVERNMENT OR ABOUT RIGHTS OR LIBERTY OR SOMETHING, WHERE DO YOU BALANCE THAT IN WITH FACTS? [LB18]

SENATOR GROENE: WELL, I'M ALSO A STUDENT OF HISTORY AND THIS WHAT WE DO IN THIS COUNTRY IS RARE. THE FREEDOMS WE HAVE, THE PERSONAL RESPONSIBILITIES THAT WE'RE RESPONSIBLE FOR, THAT'S WHERE I COME FROM. PEOPLE WHO CREATED THIS COUNTRY RISKED ALL FOR THAT FREEDOM AND SOMEHOW WE GOT INFECTED BY THE EUROPEAN STYLE THAT GOVERNMENT, THE KING, WHICH IS GOVERNMENT, TELLS US WHAT TO DO. IT'S GOT INTO OUR BLOODLINES,... [LB18]

SENATOR COASH: ONE MINUTE. [LB18]

SENATOR GROENE: ...AND I DON'T UNDERSTAND HOW, THAT WE RELY ON THE GUIDANCE OF GOVERNMENT INSTEAD OF A GOD, WHICH GOVERNMENT IS A GOD TO SOME. BUT THAT'S WHERE WE ARE IN THIS COUNTRY AND IT IS NOT A GOOD SENSE TO THOSE OF US WHO LOVE FREEDOM. YES, GOVERNMENT HAS ITS

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PLACE, BUT WE ARE THE GOVERNMENT'S MASTERS. THE GOVERNMENT IS NOT OUR MASTERS, WHICH THIS BILL FOLLOWS THAT PHILOSOPHY. SO THANK YOU, SENATOR KINTNER. [LB18]

SENATOR KINTNER: SENATOR GROENE, DID YOU SEE AT ANY TIME THE FINGERPRINTS OF THE PROGRESSIVE LEFTIST ON THIS? DID THAT HAVE ANYTHING TO DO WITH IT? [LB18]

SENATOR GROENE: NO. I LOOKED AT IT AS I LOVE FREE ENTERPRISE, LIKE YOU DID. I'M GLAD YOU CLARIFIED THAT. THOSE DRUG COMPANIES HAVE DONE WONDERFUL THINGS WITH THEIR RESEARCH FOR THE PROFIT MOTIVE, HAS MADE HEALTH BETTER IN THE WORLD. BUT AGAIN, THAT'S WHERE GOVERNMENT STEPS IN AGAIN. THEY HAVE NO SOUL, A COMPANY DOESN'T, IT'S JUST PROFIT. THAT IS WHY WE REGULATE. [LB18]

SENATOR COASH: TIME, SENATOR. [LB18]

SENATOR KINTNER: THANK YOU. [LB18]

SENATOR COASH: THANK YOU, SENATORS. SENATOR KUEHN, YOU'RE RECOGNIZED. [LB18]

SENATOR KUEHN: THANK YOU, MR. PRESIDENT. COLLEAGUES, MEMBERS OF THE BODY, I WOULD LIKE TO ADDRESS A FEW THINGS THIS MORNING WITH REGARD TO SOME OF THE FACTS. AND SENATOR GROENE HAS STATED THAT HE LIKES FACTS AND I TRULY BELIEVE THAT HE BELIEVES THAT HE IS STATING FACT. THERE ARE A FEW THINGS THOUGH THAT WE DO HAVE TO ADDRESS WITH REGARD TO, AGAIN, WHAT THE BILL ACTUALLY DOES STATE, AS WELL AS SOME OF THE MISREPRESENTATION OF FACTS RELATED TO THE PROCESS OF MAMMALIAN IMMUNITY REGARDING THE PROCESS OF VACCINATION THAT HAVE BEEN PRESENTED HERE ON THE FLOOR TODAY. SO I APOLOGIZE, IT'S GOING TO BE DIFFICULT TO EVEN BEGIN TO ADDRESS A NUMBER OF THESE IN

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FIVE MINUTES, BUT I DO THINK THERE ARE FEW THINGS WE NEED TO CLARIFY. FIRST OF ALL, THE MERE STATEMENT ABOUT VACCINATION AND WHEN IMMUNITY ENDS, THIS IS NOT A BRIGHT LINE. THERE IS NO FACT THAT SAYS AFTER FIVE YEARS THIS VACCINATION IS NO GOOD. THAT SIMPLY FLIES DIRECTLY IN THE FACE OF EVERYTHING WE KNOW ABOUT THE HUMAN IMMUNE SYSTEM. THE REASON FOR TWO DOSES IS NOT BECAUSE IMMUNITY IS GONE AT SOME BRIGHT LINE AFTER FIVE YEARS. MULTIPLE DOSES RELATES TO THE CONCEPT OF PRIMARY VERSUS SECONDARY IMMUNITY. ANY SPECIFIC IMMUNE RESPONSE REQUIRES AN INITIAL EXPOSURE TO THE ANTIGEN TO INITIATE THE SPECIFIC IMMUNE RESPONSE WHICH THEN CREATES A MEMORY RESPONSE. UPON SECONDARY EXPOSURE TO THAT PARTICULAR ANTIGEN, THE RESPONSE IS BOTH STRONGER, AS WELL AS MORE RAPID IN DURATION, WHICH IS WHY THE PRIMING OR INITIAL DOSE CREATES MEMORY. ANYTIME THAT WE ARE UTILIZING A VACCINE OR A NONPATHOGENIC ANTIGEN, SOMETIMES WE NEED ADDITIONAL DOSES TO ESTABLISH THAT LONG-TERM MEMORY. HEPATITIS B VIRUS TAKES THREE DIFFERENT SERIES OF VACCINES. THE POLIO, DEPENDING UPON THE NATURE OF THE VACCINE, TAKES MULTIPLE DOSES. SO THE CONCEPT THAT MORE THAN ONE DOSE IS REQUIRED IS NOT A REFLECTION OF THE INADEQUACY OF THE VACCINE, IT'S RECOGNIZING THE REALITY OF THE HUMAN IMMUNE SYSTEM, AS WELL AS THE REALITIES ASSOCIATED WITH MODERN VACCINOLOGY. I THINK WE HAVE TO BE VERY CAREFUL ABOUT LOOKING AT ANECDOTAL EVIDENCE IN A SINGLE CASE EITHER TO SWAY US ONE WAY OR ANOTHER, WHETHER THAT IS AN ANECDOTE ABOUT AN INDIVIDUAL WHO DEVELOPED THE DISEASE YEARS AFTER GRADUATING FROM COLLEGE OR THE ANECDOTE OF A SINGLE INDIVIDUAL WHO WAS A VACCINE BREAKTHROUGH OR A SINGLE INDIVIDUAL WHO WAS NEVER VACCINATED AND CONTRACTED THE DISEASE. WHAT THE CENTERS FOR DISEASE CONTROL AND THE EXPERTS THAT ARE THERE THAT UNDERSTAND THE IMMUNE SYSTEM, UNDERSTAND THE RISKS, UNDERSTAND THE COST-BENEFIT RATIO WITH A PUBLIC HEALTH TRADEOFF SUCH AS THIS, HAVE ANALYZED ALL OF THAT DATA, FREE FROM ANECDOTE, FREE FROM PREJUDICE, AND THEY HAVE ESTABLISHED A VERY CLEAR SET OF GUIDELINES. THIS LEGISLATION DOES NOT REQUIRE US AS 49 SENATORS TO

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UNDERSTAND THE VARIANCES OF THE IMMUNE SYSTEM OR TO PICK OR CHOOSE ONE PARTICULAR VACCINE OR SEROTYPE. THE LEGISLATION, AS PROPOSED, REQUIRES THAT WE FOLLOW THE CDC ADOPTED GUIDELINES, THE EXPERTS WHOSE JOB IT IS TO KNOW AND TO UNDERSTAND AND TO WEIGH THE RISKS WITH REGARD TO THE AVAILABLE PRODUCTS AT ANY GIVEN TIME. COMPANIES MAY PRODUCE NEW PRODUCTS WHICH ARE BETTER OR SAFER OR MORE EFFICACIOUS. THOSE WILL BE ADOPTED BY THE NEBRASKA STATUTE, AS READ, AS THOSE PRODUCTS BECOME APPROVED BY THE CDC. WHAT I DO WANT TO CALL OUT RIGHT HERE IS SOMETHING THAT WE'RE ON A VERY DANGEROUS SLOPE HERE, AND THAT IS THE RHETORIC TOWARDS CALLING INTO QUESTION THE EFFICACY OF VACCINES TAKES PLACE ON THIS FLOOR. IT CONFUSES WELL-INTENTIONED INDIVIDUALS ABOUT THE ACTUAL OUTCOME OF THEIR CHOICES. IT CLUTTERS THE ISSUE AND MAKES THEM SUSPICIOUS WHERE NO SUSPICION EXISTS. [LB18]

SENATOR COASH: ONE MINUTE. [LB18]

SENATOR KUEHN: THANK YOU, MR. PRESIDENT. WHILE IT'S VERY DIFFICULT TO GET A TRUE NUMBER ON THE PERCENTAGE OF VACCINATION BECAUSE PHYSICIANS ARE NOT REQUIRED TO REPORT TO ANYBODY THE VACCINATION WHEN IT'S GIVEN TO A PATIENT, WE DO KNOW A COUPLE OF THINGS: THAT IN MANY CASES, IN MOST CASES, AND INCLUDING WITH AVAILABLE DATA THAT WE DO HAVE NATIONWIDE WITH REGARDING MENINGITIS, VACCINATION RATES ARE FALLING. WE'VE GONE FROM A HIGH A FEW YEARS AGO OF 65 PERCENT TO 70 PERCENT OF THE POPULATION AT RISK VACCINATED, AND WE'RE SEEING THAT NUMBER TAPER BACK. THAT NUMBER IS TAPERING BACK OUT OF FEAR AND MISCONCEPTION ABOUT VACCINES, THEIR SAFETY, AND WHAT THEY DO, AND THAT PUTS ALL OF US AT RISK. THAT PUTS AT RISK THE TWO-YEAR-OLD CHILD WHO DOES NOT HAVE A CHOICE. THEIR LIBERTY IS BEING IMPINGED UPON BY THOSE WHO SAY, I DON'T HAVE TO FOLLOW SCIENCE IN THE SAKE OF MY OWN PERSONAL CHOICE. WELL, GUESS WHAT? THAT TWO-YEAR-OLD SITTING IN THE

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RESTAURANT, SITTING IN THE WAITING ROOM, DOESN'T GET A CHOICE, AND THEY HAVE LIBERTY TOO. [LB18]

SENATOR COASH: TIME, SENATOR. [LB18]

SENATOR KUEHN: THANK YOU, MR. PRESIDENT. [LB18]

SENATOR COASH: THANK YOU, SENATOR KUEHN. SEEING NO OTHER MEMBERS WISHING TO SPEAK, SENATOR GROENE, YOU'RE RECOGNIZED TO CLOSE ON AM143. [LB18]

SENATOR GROENE: THANK YOU, SENATOR COASH. I'D LIKE TO REMIND YOU ABOUT WHAT HAPPENED LAST YEAR. SENATOR KRIST APPROACHED ME AND SAID, LET'S HAVE A COMPROMISE, HOW ABOUT WE PUT IN THERE THAT YOU HAVE A PHILOSOPHY, I LIKE THAT ONE, I HAVE NO QUALMS WITH IT, BUT IF WE DID THAT WOULD I SUPPORT THE BILL, AND I SAID YES. SO WE BROUGHT THE AMENDMENT. WE ANNOUNCED THAT THERE WAS AN AGREEMENT, AND ALL HEAVEN BROKE OUT. THOSE WHO ADVOCATE MANDATES CALLED SENATOR KRIST AND TOLD HIM, NO WAY, KILL THE BILL BEFORE YOU ACCEPT THAT. YOU REMEMBER THAT? THAT'S WHERE THIS AMENDMENT CAME FOR THE PHILOSOPHY. THAT'S WHERE IT CAME FROM, AND IT'S STILL ON THE TABLE THIS YEAR. THAT'S WHY WE STARTED DEBATE WITH THAT AMENDMENT. I HAPPEN TO AGREE WITH IT. I'LL TELL YOU ABOUT SAFETY ON THIS ISSUE...WELL, IF I CAN FIND IT--TOO MANY PAPERS. BUT THE SAFETY ISSUE, IF A PATIENT WENT INTO A DOCTOR AND SAID, I'VE READ 1 OUT OF 1,000,000 CHANCE MY CHILD IS GOING TO GET IT, BUT HE'S GOT A VERY HIGH CHANCE OF HAVING A REACTION TO THIS VACCINE. I READ WHERE IN THE CDC WHERE A STUDY SAID THAT, YOU KNOW, IN 2,700 OR 2,500 PEOPLE THEY HAD FOUR PEOPLE WITH SEVERE REACTION TO THIS IMMUNIZATION. WOULD THE DOCTOR SAY, YES, I AGREE? THE RISK OF 1 IN 1,000,000 VERSUS 4 OUT OF 2,500 IN THE STUDY, CLINICAL STUDIES, THAT YOU COULD GET A SEVERE, WOULD THE DOCTOR SAY, YES, I AGREE THAT IT'S BETTER FOR YOU NOT TO TAKE THIS VACCINATION? I DOUBT IT. ALSO, AS TO

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SENATOR KUEHN, BECAUSE HE'S A GOOD FRIEND, HOPEFULLY CONTINUES TO BE, SINCE HE'S A VETERINARIAN, I CALLED MY VETERINARIAN LAST NIGHT. I SAYS, WHAT'S YOUR OPINION ON THIS BILL? I THOUGHT ANOTHER VETERINARIAN OUGHT TO HAVE HIS INPUT. HE SAID, I'M AGAINST IT. HE HAD ONE SENTENCE. THE MORTALITY RATE AIN'T WORTH THE RISK. THERE'S TWO VETERINARIANS, ONE FOR, ONE AGAINST, TOTALLY DIFFERENT DISEASES IN LIVESTOCK AND HUMANS, TOTALLY DIFFERENT IN YOUR TRAINING. SO, ME AS AN EQUIPMENT SALESMAN, AS A BUSINESSMAN, HIM AS A VETERINARIAN, WE HAVE ABOUT THE SAME EXPERTISE ON HUMAN HEALTH. I'LL AGREE TO THAT. HE DID HIS RESEARCH; I'VE DONE MINE. AGAIN, LOOK AT THE LANGUAGE OF THIS BILL. IF IT SAID ON MENINGOCOCCAL BACTERIA VACCINATIONS THE STATE OF NEBRASKA SHALL FOLLOW THE CDC RULES, THAT WOULD BE AN ACCURATE BILL--NOT RULES BUT RECOMMENDATIONS--THAT WOULD BE AN ACCURATE LANGUAGE FOR THIS BILL. IT DOESN'T SAY THAT. IT SAYS, "...ENTERING THE SEVENTH GRADE AND ENTERING THE ACADEMIC YEAR FOLLOWING ATTAINMENT OF SIXTEEN YEARS OF AGE SHALL HAVE (AN) IMMUNIZATION CONTAINING THE UNITED STATES CENTERS FOR DISEASE CONTROL (AND) PREVENTION RECOMMENDED MENINGITIS VACCINES..." SO AS NEW ONES COME...NOW THIS IS UP TO THE STATE. I DON'T KNOW WHO DECIDES WHAT A MENINGITIS VACCINATION IS. THERE'S NO SUCH THING. THERE'S MENINGOCOCCAL BACTERIA VACCINES. THERE'S MMR VACCINES. THIS ONE SAYS MENINGITIS. SO RIGHT NOW THERE'S RESEARCH ON A SEROGROUP B FOR INFANTS WHICH WOULD HELP INFANTS. [LB18]

SENATOR COASH: ONE MINUTE. [LB18]

SENATOR GROENE: ACCORDING TO THIS LEGISLATION, THE CDC SAYS THEY APPROVE THIS FOR INFANTS, WE'VE GOT TO GIVE IT TO THEM IN THE SEVENTH GRADE, AND WE'VE GOT TO GIVE IT TO THEM AT 16 YEARS OF AGE. THAT'S WHAT THE LANGUAGE SAYS. IT'S A MENINGITIS VACCINE, WHICH DOESN'T EXIST. DEFEND THIS LANGUAGE IF YOU WISH, BUT THAT'S WHAT IT SAYS. SO I ENCOURAGE YOU TO VOTE YES ON AM143. IT ADDS FREEDOM, GIVES PEOPLE

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THE RIGHT TO SAY, I'VE STUDIED THIS, I'M A WELL-EDUCATED INDIVIDUAL IN THE UNITED STATES, I CHOOSE NOT TO VACCINATE MY CHILDREN AND I CHOOSE TO KEEP MY CONSTITUTIONAL RIGHT TO FREE INSTRUCTION IN OUR COMMON SCHOOLS AND NOT LOSE THAT CONSTITUTIONAL RIGHT DUE TO AN UNRELATED ISSUE. THAT'S WHAT IT TELLS YOU. THAT'S WHAT IT ALLOWS A PERSON TO DO. SO I ENCOURAGE YOU TO VOTE YES ON AM143. READ THE LANGUAGE AS WE GO ON. I ASK FOR A CALL OF THE HOUSE. [LB18]

SENATOR COASH: THANK YOU, SENATOR GROENE. YOU'VE HEARD THE CLOSING TO AM143. THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER THE CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB18]

CLERK: 26 AYES, 0 NAYS TO PLACE THE HOUSE UNDER CALL, MR. PRESIDENT. [LB17]

SENATOR COASH: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATORS WATERMEIER, HANSEN, MORFELD, AND SMITH, PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. SENATORS HANSEN AND MORFELD, PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. SENATOR GROENE. [LB18]

SENATOR GROENE: I ASK FOR A ROLL CALL, BEGINNING TO END. [LB18]

SENATOR COASH: MEMBERS, THE QUESTION FOR THE BODY IS, SHALL AM143 BE ADOPTED? THERE HAS BEEN A REQUEST FOR A ROLL CALL VOTE IN REGULAR ORDER. MR. CLERK, PLEASE READ THE ROLL. [LB18]

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CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 361.) 13 AYES, 24 NAYS, MR. PRESIDENT, ON THE AMENDMENT. [LB18]

SENATOR COASH: THE AMENDMENT IS NOT ADOPTED. RAISE THE CALL. MR. CLERK, YOU HAVE AN ITEM. [LB18]

CLERK: MR. PRESIDENT, I DO. SENATOR GROENE WOULD MOVE TO RECONSIDER THE VOTE JUST TAKEN WITH RESPECT TO AM143. [LB18]

SENATOR COASH: SENATOR GROENE, YOU'RE RECOGNIZED TO OPEN ON YOUR MOTION. [LB18]

SENATOR GROENE: THANK YOU. TO THE PUBLIC OUT THERE THAT WATCHES--I KNOW I'M LEARNING THE RULES HERE--THE REASON I DIDN'T VOTE FOR THAT IS BECAUSE I COULDN'T HAVE RECONSIDERED IT IF I DID. THE PERSON WHO RECONSIDERS YOUR AMENDMENT, YOU CAN'T SHOW A VOTE. OF COURSE, I WAS FOR THE AMENDMENT. BUT WE'RE HERE REALLY, BE HONEST, TO PUT AN END TO A VERY BAD BILL. AS I SAID, PHILOSOPHY MAKES SENSE. IT RESPECTS THE INTELLECT OF YOUR FELLOW CITIZENS TO MAKE A EDUCATED DECISION ABOUT THEIR HEALTHCARE AND THEIR HEALTHCARE OF THEIR CHILDREN. I GOT AN E-MAIL FROM A DOCTOR WHO TOLD ME, HE SAID, IF YOU REALLY WANTED TO STOP MENINGITIS AND TRY TO STOP IT, EVERYBODY SHOULD HAVE A VACCINATION IN THE COUNTRY, 340,000,000 OF US, BECAUSE IT DOESN'T PICK ON JUST ONE AGE GROUP. IF YOU ARE SUSCEPTIBLE TO IT, YOU CAN GET IT AT ANY AGE. AND IT VARIES FROM 1 IN 1,000,000 CHANCE OF GETTING IT TO 3 IN 1,000,000 FOR SOMEBODY IN A DORMITORY IN A COLLEGE CAMPUS. IN THIS BODY, 49 SENATORS, I DON'T KNOW HOW MANY ARE HERE, I'D GUESS, LET'S JUST SAY THERE WAS 100 PEOPLE IN THIS ROOM. EIGHTY-FIVE OF THOSE 100 ARE IMMUNE TO IT NATURALLY; 5, 10 AT THE MOST, CARRY THE BACTERIA IN THEIR NASAL PASSAGE; 15 MAY AT VARIOUS AMOUNTS HAVE SUSCEPTIBILITY TO IT. NOW THAT PERSON WHO HAS A COLD AND HAS THAT BACTERIA IN HIS NASAL PASSAGE WOULD HAVE TO PICK OUT 1 OF THOSE 15 AND SNEEZE IN THEIR FACE.

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AND IF THEIR MOUTH WAS OPEN, THEY WOULD PROBABLY GET THE DISEASE. THAT'S HOW IT SPREADS, OR KISS SOMEBODY--THAT'S PROBABLY WHAT HAPPENS IN DORMITORIES. SO PHILOSOPHY, MY PHILOSOPHY IS I DON'T TAKE THOSE ODDS. I'M NOT GOING TO INVEST OR MAKE MY FELLOW PEOPLE MANDATORILY TAKE A VACCINATION THAT IS NEXT TO...GOT MORE CHANCE OF GETTING STRUCK BY LIGHTNING BECAUSE I, AS THE MOB RULES SAYS, I DO IT, THEREFORE, YOU WILL DO IT, TOO, BECAUSE I KNOW WHAT'S BEST FOR YOU. SOMEBODY'S PHILOSOPHY SAYS, NO, I DON'T WANT TO DO THAT. IN A FREE SOCIETY THAT'S USUALLY WHAT HAPPENS. YOU WALK AWAY; YOU AGREE TO DISAGREE. NOT HERE: THERE'S SOME AMONGST US WHO SAID, NO, YOU DON'T HAVE THAT RIGHT, FREEDOM DON'T COUNT, YOU ARE MANDATED TO DO IT AND I FEEL GOOD ABOUT IT BECAUSE I TOLD YOU WHAT TO DO BECAUSE I DID IT. YOU KNOW, OUR COLLEGE CAMPUSES ARE FULL OF THAT, CAN'T SAY CERTAIN THINGS UNLESS YOU AGREE TO THE COMMON OPINION. YOU'RE OSTRACIZED. BUT ANYWAY, I WOULD HOPE YOU WOULD RECONSIDER THE VOTE ON...YOUR VOTE ON PHILOSOPHY. AS I SAID, IT WAS AN AGREEMENT BETWEEN THE HONORABLE SENATOR KRIST AND I LAST YEAR THAT, IF WE DID THAT, WE WOULD ALLOW THE BILL TO PASS. BUT POLITICS ARE POLITICS, AND WE GET PRESSURE. I'M GETTING A LOT OF E-MAILS THANKING ME FOR STANDING UP FROM DOCTORS, NURSES. YOU KNOW, I DIDN'T MEAN TO IMPUGN THE NURSES IN OUR SCHOOLS. THEY'RE AVERAGE FOLKS, GO TO WORK EVERY DAY. AND WHAT I'VE SEEN IS, WHOEVER RUNS THE ORGANIZATION, MOST OF PEOPLE IN THAT OCCUPATION DON'T EVEN KNOW WHAT'S GOING ON OR WHAT'S BEING RECOMMENDED BY THE TOP PEOPLE IN THEIR ORGANIZATION. MOST PEOPLE JUST WANT TO LIVE THEIR LIVES, TAKE CARE OF THEIR FAMILIES, GO TO WORK, GO HOME. THAT INCLUDES THE NURSES IN OUR SCHOOLS, EMPLOYEES AT THE COUNTY HEALTH CLINICS. I'M GETTING CALLS FROM PEOPLE WHO ARE ON STAFF AT CREIGHTON. THEY DON'T AGREE WITH WHAT THE CREIGHTON IMMUNIZATION TASK FORCE SAID. NEVER BELIEVE THERE'S UNANIMITY. I'M SURE YOU ALL UNDERSTAND THAT. WHEN AN ORGANIZATION SAYS THEY WANT TO DO SOMETHING, THEY WANT US TO DO SOMETHING, THAT DOESN'T MEAN ALL THEIR MEMBERS ARE IN LOCKSTEP. IT'S JUST LIKE US. THERE MIGHT BE A

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49...25-24 SPLIT, BUT WE'RE MANDATING IT TO THE OTHER 24 TOO. REMEMBER THAT. IN THIS COUNTRY WE HAVE A HERITAGE OF THE INDIVIDUAL AND THE INDIVIDUAL'S RIGHTS. SOMEHOW WE'VE LOST THAT IN A LOT OF WHAT WE DO IN GOVERNMENT. AND THAT'S WHERE THE PHILOSOPHY COMES IN. ALLOW PEOPLE TO DECIDE. THEY'RE NOT HARMING ANYBODY BUT THEMSELVES AND RISKING THEIR OWN FAMILY, A FAMILY UNIT. YOU DECIDE WHAT CAR YOU DRIVE FOR SAFETY REASONS. YOU DECIDE...SHOULD WE TAKE THAT AWAY? YOU DECIDE WHERE YOU LIVE AND WHAT NEIGHBORHOOD BECAUSE OF SAFETY REASONS. SHOULD WE MANDATE WHERE THEY LIVE BECAUSE THE CHILD MIGHT GET HURT? HOW FAR YOU WANT TO TAKE THIS? WHAT OTHER MANDATES YOU WANT? TAKE THE PARENTAL RIGHTS AWAY. THERE'S A LOT OF THINGS WE COULD DO FOR SAFETY. IF YOUR CHILD IS CAUGHT OUTSIDE IN A LIGHTNING STORM, CAN WE ARREST YOU? YOU'VE GOT A CHANCE OF GETTING STRUCK BY LIGHTNING. THERE'S A MANDATE FOR YOU. WHAT OTHER ONES YOU WANT TO DO? CAN'T EAT DONUTS? SENATOR KINTNER WOULD FILIBUSTER THAT ONE, I KNOW. SO WOULD I HELP HIM. I MEAN, WHERE WOULD YOU STOP? 1 IN 1,000,000 CHANCE OF CONTACTING (SIC) THIS DISEASE. SENATOR HILKEMANN ASKED WHAT IS THE...WHAT IS THE...NOW OF THE ACWY VACCINATION, WE'RE AT 73 PERCENT TO 75 PERCENT IN THE STATE OF NEBRASKA, ONCE, USUALLY AROUND THAT COLLEGE AGE BECAUSE, OUR COLLEGES, WE HAVE A HIGH INCIDENCE OF STUDENTS GOING TO COLLEGE, SO THEY'RE COVERED BECAUSE MOST OF THE COLLEGES MANDATE IT. A LOT OF PARENTS DO IT. A LOT OF THEM GET DONE TO THEM WITHOUT EVEN BEING ASKED, AS I TOLD YOU EARLIER ABOUT THE PARENT WHO TOOK THEIR SEVENTH GRADER IN AND LOOKED AT THE BILL LATER AND THEY GOT VACCINATED FOR MENINGITIS, NEVER EVEN ASKED, WEREN'T ASKED, JUST ROUTINE, JUST WE KNOW WHAT'S BEST. SO ANYWAY, LET'S RECONSIDER THE PHILOSOPHY ARGUMENT. THAT TIES TO FREEDOM. THAT DOESN'T AFFECT YOUR FREEDOM OF RELIGION OR THE GOVERNMENT MANDATING WHICH RELIGIONS QUALIFY FOR CERTAIN EXEMPTIONS. IT COVERS THAT AREA. IT MAKES THE MEDICAL PROFESSIONAL WORK HARDER. THEY GET PAID WELL TO CONVINCING THAT PARENT THAT THEY NEED THAT VACCINATION IF THEY BELIEVE SO. THE EASY WAY IS TO MANDATE IT, JUST STICK IT IN THEIR

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ARM AND SEND THEM HOME AND SEND THE BILL, \$145 A SHOT PLUS WHATEVER THE DOCTOR'S CALL IS. WE TALKED ABOUT THE COST. I DIDN'T BRING UP COST MUCH, BUT IT'S JUST NOT THE COST TO US, THE TAXPAYERS, OF THE A BILL; IT'S EVERY FAMILY IN THE MIDDLE CLASS WHO HAS INSURANCE, HAS DEDUCTIBLES, EVEN IF THE INSURANCE COMPANY SAYS THEY'LL PAY IT ALL. YOU DO NOT VACCINATE YOUR CHILD TWICE IN HIS LIFETIME, \$145 APIECE USING WALGREEN'S NUMBERS, AT THE SEVENTH GRADE AND JUNIOR AND HIGH SCHOOL WITHOUT IT ADDING TO YOUR PREMIUM COST. INSURANCE COMPANY HAS TO PAY FOR THAT. THERE IS A COST OF MILLIONS OF DOLLARS. THERE IS A PROFIT MADE. WE ALWAYS TALK ABOUT THE GOVERNMENT COST, BUT WHAT ABOUT THE PERSON WHO JUST GOES ALONG IN LIFE PROUD OF THE FACT THEY PAY MORE TAXES THAN THE GOVERNMENT THEY RECEIVE? AND THERE ARE THOSE OF US THAT DO, OTHERWISE THE SYSTEM WOULD BE WORSE THAN A 60 PERCENT OR 45 PERCENT OR WHATEVER IT IS, WHERE WE'RE BORROWING FEDERALLY INSTEAD OF COVERING IT WITH TAX DOLLARS. [LB18]

SENATOR COASH: ONE MINUTE. [LB18]

SENATOR GROENE: WE NEED TO CARE ABOUT THAT, TOO, THE COST OF INSURANCE FOR THOSE INDIVIDUALS WHO DO PAY FOR THEIR INSURANCE, WHO DO COVER THEIR OWN HEALTHCARE. WE'RE JUST GOING TO DUMP IT ON THEM. WE DON'T HAVE \$280,000 EITHER IN THE BUDGET FOR TO MANDATE THIS EITHER. YOU KNOW, WE'RE IN A DEFICIT. WE'RE GOING TO SPEND \$280,000, AND WE HAVEN'T HAD A CASE IN FIVE YEARS, TO MANDATE THIS. WE'LL SEE WHO ARE THE FISCAL CONSERVATIVES AND WHO ISN'T, BUT THAT'S ALSO PART OF THIS DEBATE. WE PROVIDE THE FUNDS AS A LEGISLATURE TO PAY FOR THESE THINGS THAT WE VOTE ON. ARE WE GOING TO ADD MORE A BILLS IN A DOWN ECONOMY? WE'RE GOING TO HAVE TO RAISE TAXES. THERE YOU GO. YOU'RE GOING TO RAISE THEIR PREMIUMS AND THEN YOU'RE ALSO GOING TO RAISE THEIR TAXES TO PAY FOR THOSE WHO GET IT FREE. [LB18]

SENATOR COASH: TIME, SENATOR. [LB18]

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SENATOR GROENE: THANK YOU. [LB18]

SENATOR COASH: THANK YOU, SENATOR GROENE. MR. CLERK, YOU HAVE A MOTION ON YOUR DESK. [LB18]

CLERK: I DO, MR. PRESIDENT. SENATOR KRIST WOULD MOVE TO INVOKE CLOTURE PURSUANT TO RULE 7, SECTION 10. [LB18]

SENATOR COASH: THERE'S A RULING IN CHAIR THAT THERE'S BEEN FULL AND FAIR DEBATE AFFORDED TO LB18. SENATOR KRIST, FOR WHAT PURPOSE DO YOU RISE? [LB18]

SENATOR KRIST: CALL OF THE HOUSE, PLEASE. [LB18]

SENATOR COASH: THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB18]

CLERK: 30 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB18]

SENATOR COASH: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATOR BRASCH, PLEASE CHECK IN. SENATOR HOWARD, SENATOR MORFELD, PLEASE CHECK IN. SENATOR PANSING BROOKS, PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. MEMBERS, THE FIRST VOTE IS THE MOTION TO INVOKE CLOTURE. MR. CLERK, PLEASE READ THE ROLL. [LB18]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 362.) 29 AYES, 14 NAYS, MR. PRESIDENT, ON THE MOTION TO INVOKE CLOTURE. [LB18]

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SENATOR COASH: THE MOTION FAILS. RAISE THE CALL. NEXT ITEM, MR. CLERK.
[LB18]

CLERK: MR. PRESIDENT, I HAVE BILLS TO READ. MR. PRESIDENT, NEW BILLS:
(READ LB1102-1110 BY TITLE FOR THE FIRST TIME.) MR. PRESIDENT, I ALSO HAVE
AMENDMENTS TO BE PRINTED TO LB176 AND TO LB47. I HAVE HEARING NOTICES
FROM THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE,
FROM HEALTH AND HUMAN SERVICES COMMITTEE, THOSE SIGNED BY THEIR
RESPECTIVE CHAIRS. NEW RESOLUTIONS: SENATOR KOLTERMAN OFFERS LR417.
THAT WILL BE LAID OVER. NAME ADDS: SENATOR PANSING BROOKS TO LB824
AND TO LB1027; AND SENATORS BLOOMFIELD, STINNER, CRAIGHEAD, WILLIAMS,
WATERMEIER TO LR378CA. (LEGISLATIVE JOURNAL PAGES 362-376.) [LB1102
LB1103 LB1104 LB1105 LB1106 LB1107 LB1108 LB1109 LB1110 LB176 LB47 LR417
LB824 LB1027 LR378CA]

MR. PRESIDENT, SENATOR RIEPE WOULD MOVE TO ADJOURN THE BODY UNTIL
THURSDAY MORNING, JANUARY 21, AT 9:00 A.M.

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR
SAY AYE. OPPOSED, NAY. WE ARE ADJOURNED.